



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      RR, FFT

### Introduction

This hearing was scheduled to deal with a tenant's application for authorization to reduce rent payable due to water leaking from the ceiling.

Both parties appeared for the hearing and were affirmed. The hearing process was explained to the parties and the parties were given the opportunity to ask questions about the process.

I confirmed that both parties had exchanged their respective hearing materials and evidence with each other and I admitted their respective evidence for consideration in making this decision.

Shortly after the hearing commenced, I heard the tenancy has already ended. As such, a rent reduction is no longer a remedy available to the tenant. The tenant requested that he be provided a Monetary Order to receive compensation for the ceiling leak. I amended the application accordingly.

I noted that I could not see a detailed calculation for the sum claimed by the tenant. The tenant acknowledged he did not prepare one. The parties indicated they had an appetite for settling this dispute during this hearing.

The parties turned their minds to resolving their dispute by way of a settlement agreement and I was able to facilitate an agreement between them. By way of this decision and the Monetary Order that accompanies it, I record the parties' settlement agreement.

Issue(s) to be Decided

What are the terms of settlement?

Background and Evidence

The parties mutually agreed to the following terms in full and final satisfaction of any and all claims the parties' may have against the other with respect to the subject tenancy:

1. The parties recognize that the tenant has already received compensation from the landlord in the form of free rent for August 2022, a value of approximately \$635.00 due to the leaks in the rental unit ceiling.
2. In addition to the above, the landlord shall pay the tenant a further \$1500.00 without undue delay.
3. Neither party may make any other claim against the other with respect to this tenancy.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and I make the term(s) an Order to be binding upon both parties.

In recognition of the settlement agreement, I provide the tenant with a Monetary Order in the amount of \$1500.00 to ensure payment is made.

Conclusion

The parties reached a full and final settlement agreement during the hearing. In recognition of the settlement agreement, the landlord is ordered to pay the tenant a further \$1500.00 and the tenant is provided a Monetary Order in this amount to ensure payment is made.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: December 30, 2022

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Residential Tenancy Branch