



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, RR, RP, OLC, FFT

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding a tenancy.

The tenant applied on October 7, 2022 for:

- dispute of a One Month Notice to End Tenancy for Cause, dated September 26, 2022;
- a rent reduction for repairs, services, or facilities agreed upon but not provided;
- an order for repairs made to the unit or property;
- an order for the landlord to comply with the Act, Regulation, and/or tenancy agreement; and
- the filing fee.

The hearing was attended by the tenant and the landlord, who were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses; they were made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

Settlement

Pursuant to section 63 of the Act, the arbitrator may assist the parties to settle their dispute, and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

I advised the parties there is no obligation to resolve the dispute through settlement and that if either party did not wish to resolve this matter through settlement, I would hear testimony and make a decision based on the evidence before me. The parties were able to turn their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following binding settlement terms:

- 1) The tenant will vacate the rental unit by April 30, 2023 at 1:00 p.m.
- 2) The landlord will have a qualified repair person inspect the washer and repair or replace it by Friday March 3, 2023.
- 3) The landlord will have a qualified repair person inspect the stove and repair or replace it by Friday March 3, 2023.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion, and that this was a full and final resolution of this dispute. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the applications before me.

In support of the settlement, and with the agreement of the parties, I grant the landlord an order of possession effective at 1:00 p.m. on April 30, 2023.

Conclusion

The tenant's application is dismissed.

In support of the parties' agreement, I grant the landlord an order of possession effective at 1:00 p.m. on April 30, 2023.

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: February 23, 2023

Residential Tenancy Branch