



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- an order to allow the tenant(s) to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of Settlement

Pursuant to section 63 of the Act, an 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenants and landlord reached a mutual agreement to **end this tenancy** *no later than 1:00 p.m. on March 31, 2023*, and, the landlord will be granted an **Order of Possession** effective this date.
2. In full and final settlement of the tenants application for monetary compensation, the landlord agrees to waive the rent payable for February 2023 and March 2023. The parties agreed that this includes compensation for the tenants out of pocket emergency repairs for BC Hydro, replacement pump for plumbing repairs, fuel

expenses for running generator and any potential rent reduction the tenants may have been entitled to while the property was unlivable pending the above repairs.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that the above terms comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

Conclusion

Pursuant to the mutual agreement to end tenancy, I grant an Order of Possession to the landlord effective **1:00 p.m. on March 31, 2023**, Should the tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 28, 2023

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Residential Tenancy Branch