



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Introduction**

This hearing dealt with the tenant's 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 requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- authorization to change the locks and/or to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70;
- an order to the landlord to provide services or facilities required by law 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 were successful in resolving this dispute by settlement.

### **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 tenant and landlord mutually agreed to end the lease for unit #805 so the landlord can perform mold remediation work in the unit.

2. The landlord will make unit #1105 available for the tenant and the parties agreed to enter a new lease for this unit.
3. The landlord expects unit #1105 to be available on or before September 1, 2023.
4. The tenant's rent will start at the current rent of \$1281.00 plus \$75.00 for parking and the lease will be for a one-year fixed term and revert to a month-to-month lease at the expiry of the fixed term.
5. The landlord agrees to return the tenant's security and pet deposits in full for unit #805. The tenant will be required to put up ½ month's rent as security deposit for unit #1105 plus a pet deposit if applicable.
6. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

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.**

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: July 28, 2023

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Residential Tenancy Branch