



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

A matter regarding BRAEMAR GARDENS APARTMENT LTD. and BRAEMAR
GARDENS APARTMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order that the landlord make repairs to the rental unit or property, and to recover the filing fee from the landlord for the cost of the application.

The tenant and 2 agents of the landlord attended the hearing, and the landlord's agents were accompanied by an observer.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. The landlord will install luxury plank flooring throughout the rental unit by October 1, 2024;
2. The tenant will compensate the landlord the sum of \$2,700.00, which will be paid in installments of \$50.00 per month commencing October 1, 2024 until that sum is realized, which will end after the last installment on March 1, 2029;
3. Any rent increases will be based on the actual rental amount, and will not include the compensation that the tenant has agreed to.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Since the parties have settled this dispute, I decline to order that the tenant recover the filing fee from the landlord, and I dismiss that portion of the tenant's application.

Conclusion

For the reasons set out above, and by consent, I hereby order the landlord to replace the flooring in the rental unit with luxury plank flooring throughout by October 1, 2024. I further order that the tenant compensate the landlord the sum of \$2,700.00, in installments of \$50.00 per month commencing October 1, 2024 and until that sum is realized.

I further order that any rental increases will be based on the rental amounts only, and will not include the compensation by the tenant.

The tenant's application for an order recovering the filing fee from the landlord is hereby dismissed without leave to reapply.

This order is final and binding and may be enforced, and does not replace any previous orders made by the director.

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: September 12, 2024

Residential Tenancy Branch