

DECISION

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- a Monetary Order for compensation for damage or loss under the Act, regulation or tenancy agreement
- an order to allow the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided
- authorization to recover the filing fee for this application from the Landlord

During the hearing the parties were offered an opportunity to settle their dispute, and reached an agreement on all issues.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. 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 under section 64.2 of the Act.

Both parties agreed to the following terms of a final and binding settlement:

1. The previously agreed upon repairs to the rental unit (per the settlement agreement dated March 4, 2025) will be postponed until such time as the Tenant vacates the rental unit and the tenancy ends. The parties agree to delaying the repairs until after the tenancy ends as they are likely to require a vacant rental unit for completion.
2. The monthly rent for this tenancy is reduced by \$500.00 per month, for a total rent due of \$4000.00 per month, commencing April 1, 2025, to August 31, 2025.
3. This tenancy will end by August 31, 2025, by which time the Tenant agreed to have vacated the rental unit. The Landlord is granted an Order of Possession for this date.
4. If the Tenant cannot vacate the rental unit by this date, the parties may consider continuing the tenancy past this end date at the original rent of \$4500.00 per month, but the Order of Possession remains enforceable for the date set by this agreement.

5. The Landlord will pay the Tenant \$9100.00 in compensation, which includes the Tenant's filing fee for this application, as follows:
 - a. The Tenant will deduct the remaining \$1500.00 of rent due for April 2025 in partial satisfaction of the compensation due.
 - b. The Tenant will receive a Monetary Order of \$7600.00 for the remaining balance due, which may be paid directly by the Landlord, or by future additional rent reductions of the Tenant (the Landlord is not credited for the agreed upon \$500.00/month rent reductions).
6. Both parties agreed that these terms are the full and final settlement of all aspects of the Tenant's current application for dispute resolution.

Conclusion

In order to give effect to the settlement reached between the parties, and as discussed at the hearing, I make the following Orders:

I grant an Order of Possession to the Landlord effective **on August 31, 2025, after service of this Order** on the Tenant. Should the Tenant or any occupant on the premises fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

I grant a Monetary Order to the Tenant of **\$7600.00**. The Tenant is provided with this Order and must serve a copy to the Landlord as soon as possible. If the Landlord does not pay, this Order may be filed and enforced in the Provincial Court of British Columbia (Small Claims Court).

The rent for this tenancy is reduced from \$4500.00 per month to \$4000.00 per month, effective April 1, 2025.

The repairs agreed upon in term 5 of the Settlement Agreement dated March 4, 2025, will be delayed or postponed until the tenancy ends and the Tenant vacates the rental unit. The Landlord is not required to complete these repairs by April 30, 2025 as previously agreed, as these repairs likely require the unit to be vacant for completion.

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

Dated: April 1, 2025

Residential Tenancy Branch