



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## Decision

**Dispute Codes:** MNDC, RR, FF

### **Introduction**

This hearing dealt with an application from the tenant for a monetary order in compensation for loss, an order allowing a reduction in rent, and recovery of the filing fee for this application. Both parties participated in the hearing and gave affirmed testimony.

### **Issues to be Decided**

- Whether the tenant is entitled to any of the above.

### **Background and Evidence**

Pursuant to a written residential tenancy agreement, the term of tenancy is from December 19, 2008 to December 30, 2009. Rent of \$895.00 and parking of \$25.00 is payable in advance on the first day of each month, and a security deposit of \$447.50 was collected on or about November 6, 2008.

The tenant failed to pay rent all rent due by the first of the month for January 2009. Accordingly, the landlord issued a 10 day notice to end tenancy for unpaid rent dated January 13, 2009. Subsequently, the tenant paid the overdue rent and filed an application for dispute resolution. In his application the tenant sought compensation for a number of problems, including but not limited to, delay in his access to the rental unit.

During the hearing the parties afforded each other an opportunity to exchange perspectives with a view to resolving the dispute.

## **Analysis**

Pursuant to section 63 of the Act, discussion between the parties during the hearing led to a resolution of the dispute. Specifically, the parties agreed as follows:

- that the tenant will withhold \$282.65 from the next regular payment of monthly rent / parking due on May 1, 2009;
- that the above withholding comprises full and final settlement of all aspects of the dispute for both parties.

In summary, the withholding amount was agreed upon by the parties as a reflection of the cost of two nights accommodation totalling \$232.65, and the \$50.00 filing fee.

## **Conclusion**

Pursuant to the above agreement, I order that the tenant may withhold the amount of \$282.65 from the next regular payment of monthly rent / parking due on May 1, 2009, leaving a balance due of rent / parking in the amount of \$637.35 (\$920.00 - \$282.65).

DATE: April 2, 2009

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Dispute Resolution Officer