



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP, RR, MNDCT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on August 19, 2022, wherein the Tenant sought an order that the Landlord make repairs to the rental unit as well as an Order that the Landlord compensate the Tenant for the devaluation of the tenancy due to the condition of the rental unit. By amendment, the Tenant removed his request for a repair order and rent reduction and instead sought a lump sum in compensation as the tenancy had ended.

The hearing of the Tenant's Application was scheduled for a teleconference hearing before me at 11:00 a.m. on December 20, 2022. Initially only the Tenant and his advocate, T.H. called into the hearing. At 11:08, the Landlord's representative, H.P. called in. Both parties called into the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The parties confirmed that this agreement was made on a voluntary basis and that they understood the nature of this agreement as a full and final settlement of this matter. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure* as follows:

1. By no later than 4:00 p.m. on December 31, 2022, the Landlord shall pay the sum of \$1,600.00 to the Tenant.
2. In furtherance of the above, I grant the Tenant a Monetary Order in the amount of \$1,600.00. The Monetary Order must be served on the Landlord and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.
3. In the event the Landlord's agent determines the Tenant has already received a rent reduction in relation to the flooding at the rental unit in March of 2022 the Landlord may make an application for monetary compensation from the Tenant.

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: December 20, 2022

Residential Tenancy Branch