



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNRT, RP, FFT

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order that the landlord make repairs to the rental unit pursuant to section 32;
- a monetary order for the cost of emergency repairs to the rental unit in the amount of \$777.35 pursuant to section 33; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Tenants CW, SW, and TM attended the hearing. The landlord attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

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. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

The parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenants may deduct \$388.68 from one future month's rent payment.
2. The parties will mutually agree on a contractor with an expertise in windows to give their opinion as to the cause of and solutions for the issue causing condensation on the interior of the window in SW's bedroom. The parties will follow the contractor's recommendations.
3. The parties agree that whomever the contractor determines caused circumstances that led to the need for repairs to the window will bear the cost of the repairs and the contractor's fee (if any). If the contractor does not or is unable to determine the cause, the landlord will bear these costs.

These particulars comprise the full and final settlement of all aspects of this dispute. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of this dispute between.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

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: March 17, 2023

Residential Tenancy Branch