



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding HAVEN MANAGEMENT CO.
LTD and [tenant name suppressed to protect privacy]

RECORD OF SETTLEMENT

Dispute Codes RR, RP, PSF, FFT

Introduction

This hearing dealt with the tenant's joiner application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an order to the landlord to make repairs to the rental unit pursuant to section 32;
- an order to allow the tenant(s) to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65;
- an order to the landlord to provide services or facilities required by law pursuant to section 65; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Settlement

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties at the outset of the hearing led to a resolution. Specifically, it was agreed as follows;

1. The parties agreed that the landlord will compensate them with a portion of the rent. It was agreed between the tenant in 302 and the landlord that the tenant is entitled to \$1122.00 based on his specific rent payable; and
2. It was agreed between the tenant in 1101 and the landlord that the tenant is entitled to \$1410.00 based on his specific rent payable.

Pursuant to this agreement the tenants will each be given their own monetary order to reflect this agreement. Should it be necessary, they may file that Order in Provincial Court Small Claims Division and enforced as an order of that Court.

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.

Both tenants confirmed that the elevator is repaired and that they no longer need a repair order or an order to compel the landlord to provide services or facilities as agreed to, accordingly; I dismiss those portions of each parties application without leave to reapply.

Both tenants were concerned if issues arose in the future with the elevator. It was explained that as the elevator is now repaired, it is no longer a live issue but the parties are of course entitled to file an application in the future if necessary for any issues they are unable to resolve with the landlord. It was conveyed to all parties to attempt to communicate with each other prior to filing any application. All parties indicated that they understood and appreciated the information.

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: October 05, 2023

Residential Tenancy Branch