



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, ERP, RP, LRE, RR

Introduction

This hearing was convened by way of conference call in response to an application made by the tenant for an order cancelling a notice to end tenancy for cause; for an order that the landlord comply with the *Act*, regulation or tenancy agreement; for an order that the landlord make emergency repairs for health or safety reasons; for an order that the landlord make repairs to the unit, site or property; for an order suspending or setting conditions on the landlord's right to enter the rental unit; and for an order allowing the tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

The landlord and the tenant attended the conference call hearing, and the tenant was assisted by an interpreter.

During the course of the hearing, the parties agreed to settle this dispute on the following conditions:

1. The tenant will move from the rental unit on October 31, 2012 and the landlord will have an Order of Possession effective October 31, 2012 at 1:00 p.m.;
2. The landlord will pay to the tenant the sum of \$1,000.00 on October 31, 2012 which will satisfy any claims the tenant may have for reducing rent and recovery of the security deposit, and is comprised of \$1,000.00 return of rent, less \$325.00 for October's rent, and recovery of the security deposit;
3. The parties will meet at the rental unit on October 31, 2012 at 12:30 p.m. at which time the tenant will give the landlord the keys to the rental unit and the landlord will provide the tenant with the monetary amount described in paragraph 2 above;
4. The landlord will not enter the rental unit for the purpose of conducting repairs or for any other reason unless the tenant agrees at that time or the landlord has provided the tenant with a written notice not less than 24 hours in advance that sets out the date and time of entry, which must be between 8:00 a.m. and 9:00 p.m., and the reason for the entry which must be reasonable;
5. The tenant will not smoke inside the rental unit for the balance of the tenancy;

6. The tenant will not have more than 5 visitors on 3 occasions during the balance of the tenancy, but may have less than 5 visitors on any occasion.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective October 31, 2012 at 1:00 p.m.

I further grant a monetary order in favour of the tenant pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$1,000.00 which includes return of the security deposit.

I hereby order the parties to comply with the settlement agreement described above.

This order is final and binding on the parties and may be enforced.

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: September 19, 2012.

Residential Tenancy Branch