



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MNDC, FF

The tenants apply to cancel a ten day Notice to End Tenancy for unpaid rent and for a monetary award of damages for interference with their quiet enjoyment of the premises, chiefly as a result of the landlord operating a truck parking facility on the premises in violation of zoning law.

The parties were able to resolve this matter at hearing as follows:

1. The tenancy will end November 30, 2013 and the tenants will vacate the premises by one o'clock on that date. The landlord will have an order of possession for then,
2. It is agreed the tenants have not paid the \$1500.00 per month rent for the months of September, October and November 2013 (it is acknowledged that the tenants argue the landlord refused the September rent). The rent for those three months is waived in satisfaction of the tenants' claim in this proceeding, including the filing fee.

The landlord continues to hold a \$750.00 security deposit. The parties will deal with that deposit in the ordinary course at the end of the tenancy. The parties were directed to the Residential Tenancy Office for guidance on their rights and obligations at the end of a tenancy.

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: November 14, 2013

---

Residential Tenancy Branch

