



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: MNDC, OLC, FF

Introduction:

The tenants applied for a monetary Order for compensation as a result of a breach of their covenant to quiet enjoyment resulting from disturbances from the downstairs tenant. All parties were represented.

Facts:

A tenancy began on March 1, 2004 with current rent in the amount of \$ 1,000.00. The tenants complained of significant disturbances from the downstairs tenant.

Settlement:

The parties settled this matter and I have recorded the agreement pursuant to section 63(2) as follows:

- a. The landlords will proceed forthwith to bring an application for an Order for Possession for the downstairs unit pursuant to a Notice to End the Tenancy for Cause dated October 15, 2014, and
- b. The tenants current applications will be dismissed with leave to reapply should the landlords not carry out paragraph a. herein.

Conclusion:

As a result of the settlement I have dismissed the tenants current applications with leave to reapply should the landlords not carry out paragraph a. herein. There will not be any recovery of the filing fee herein.

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 03, 2014

Residential Tenancy Branch

