



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BRIDGE WEST INVESTMENTS dba MACRO PROPERTIES  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes MT, CNL, OLC, OPT

### Introduction

This hearing was convened in relation to the tenants' application for more time to apply to cancel a 1 Month Notice to End Tenancy for Cause (the 1 Month Notice), to cancel the 1 Month Notice, and an order that the landlord comply with the Act and an order of possession. The 1 Month Notice was issued after numerous noise complaints were received from 10 different units within the 39 unit building.

Both tenants and their advocate and the landlord's agent appeared. The landlord's agent is the property manager for the rental unit.

The landlord's agent testified that she received the tenants' notice for dispute resolution and accompanying evidence in the beginning of October. On the basis of this evidence, I am satisfied that the landlord was served with notice of this application pursuant to section 89 of the *Residential Tenancy Act* (the Act).

The landlord's agent testified that her assistant served the tenants with the 1 Month Notice. The tenants confirmed that they had received the 1 Month Notice. On the basis of this evidence, I am satisfied that the tenants were served with notice of this application pursuant to section 89 of the Act.

In the course of the hearing the tenants' advocate proposed a settlement by which he would commit to assisting the tenant CD with her procurement of hearing aids. The landlord and tenants agreed to a series of conditions.

### Analysis

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.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenants agreed to withdraw their applications.
2. The landlord agreed to withdraw the 1 Month Notice.
3. The tenants agreed to the following conduct:
  - a. between 2300 and 0700 the tenants will observe quiet hours; and
  - b. when the tenant CD is watching television or listening to music, the tenant GB will go outside the rental unit to confirm that the noise is not audible outside the unit.
4. The tenant's advocate will report to the landlord's agent every Friday to apprise her as to the progress made procuring the tenant CD's hearing aids.

The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

#### Conclusion

The tenants' application is withdrawn. The landlord's 1 Month Notice is cancelled

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: November 19, 2014

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Residential Tenancy Branch

