



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

CNL, OLC, RP, FF

### Introduction

This hearing was convened in response to an Application for Dispute Resolution, in which the Tenant applied to cancel a Notice to End Tenancy for Landlord's Use of Property; for an Order requiring the Landlord to comply with the *Residential Tenancy Act* (Act) or the tenancy agreement; for an Order requiring the Landlord to make repairs to the rental unit; and to recover the fee for filing this Application.

The Tenant and the Landlord agree that the Application for Dispute Resolution, the Notice of Hearing, a DVD, and several documents the Tenant wishes to rely upon as evidence were served to the Landlord.

### Issue(s) to be Decided

Should the Notice to End Tenancy, served pursuant to section 49 of the *Act*, be set aside and is there a need to issue an Order requiring the Landlord to repair the rental unit?

### Background and Evidence

During the hearing the Landlord and the Tenant agreed to resolve this dispute under the following terms:

- the Landlord agreed to resolve the Two Month Notice to End Tenancy that is the subject of this dispute, with the understanding that another Notice may be served at a future date;
- the Tenant agrees to withdraw the Application for Dispute Resolution, with the understanding that another Application for Dispute Resolution may be filed if the Landlord does not complete repairs the Tenant believes are required;
- the Landlord agrees to treat the Tenants respectfully for the duration of the tenancy; and
- the Tenant may withhold \$50.00 from one monthly rent payment in compensation for the fee paid to file this Application for Dispute Resolution.

Analysis

This matter has been settled in accordance with the aforementioned terms.

Conclusion

This settlement agreement is recorded on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: May 14, 2015

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Residential Tenancy Branch

