



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, RP, RR

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for landlord's use of property; for an order that the landlords make repairs to the unit, site or property; and for an order reducing rent for repairs, services or facilities agreed upon but not provided.

The tenant attended the hearing with a legal advocate, and one of the landlords attended, accompanied by the landlord's daughter.

During the course of the hearing, the parties agreed to settle this dispute in the following terms:

1. The 2 Month Notice to End Tenancy for Landlord's Use of Property is cancelled and the tenancy continues;
2. The tenant will pay the rent for January and February, 2017 by the end of the day today;
3. The landlord will inspect the rental unit for repairs required on Saturday, February 4, 2017 between 5:00 p.m. and 6:00 p.m. without the necessity of providing the tenant with written notice;
4. The landlord will give no less than 24 hours written notice to enter the rental unit after February 4, 2017 in accordance with Section 29 of the *Residential Tenancy Act*:

29 (1) A landlord must not enter a rental unit that is subject to a tenancy agreement for any purpose unless one of the following applies:

- (a) the tenant gives permission at the time of the entry or not more than 30 days before the entry;
- (b) at least 24 hours and not more than 30 days before the entry, the landlord gives the tenant written notice that includes the following information:

- (i) the purpose for entering, which must be reasonable;
 - (ii) the date and the time of the entry, which must be between 8 a.m. and 9 p.m. unless the tenant otherwise agrees;
 - (c) the landlord provides housekeeping or related services under the terms of a written tenancy agreement and the entry is for that purpose and in accordance with those terms;
 - (d) the landlord has an order of the director authorizing the entry;
 - (e) the tenant has abandoned the rental unit;
 - (f) an emergency exists and the entry is necessary to protect life or property.
- (2) A landlord may inspect a rental unit monthly in accordance with subsection (1) (b).

Conclusion

For the reasons set out above, and by consent, the 2 Month Notice to End Tenancy for Landlord's Use of Property is hereby cancelled and the tenancy continues.

I hereby order the parties to comply with the Settlement Terms as set out above.

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: February 03, 2017

Residential Tenancy Branch