



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      LAT LRE MNDCT OLC PSF RP

### Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking the following relief:

- an order authorizing the tenant to change the locks to the rental unit;
- an order limiting or suspending the landlords' right to enter the rental unit;
- a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement;
- an order that the landlords comply with the *Act*, regulation or tenancy agreement;
- an order that the landlords provide services or facilities required by the tenancy agreement or the law; and
- an order that the landlords make repairs to the unit, site or property.

The tenant and both landlords attended the hearing during which the parties agreed to settle this dispute in the following terms:

1. the landlord will repair the kitchen sink and drain by no later than April 7, 2018;
2. the landlord will repairs the cracks and holes in the walls of the rental unit by no later than April 7, 2018;
3. the landlord will comply with the *Residential Tenancy Act* by giving notice, as set out below, prior to entering the rental unit;
4. the tenant withdraws the application for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement.

The *Residential Tenancy Act* specifies that:

### **Landlord's right to enter rental unit restricted**

**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).

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of the application herein.

### Conclusion

For the reasons set out above, and by consent, I hereby order the landlord to make repairs to the cracks and holes in the walls of the rental unit and to the kitchen sink and drain by no later than April 7, 2018.

I further order the landlord to comply with Section 29 of the *Residential Tenancy Act* 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: March 21, 2018

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Residential Tenancy Branch