



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION AND RECORD OF SETTLEMENT**

### **Dispute Codes**

CNC OLC

### **Introduction**

The tenant's application under the *Residential Tenancy Act* (the Act) primarily sought to cancel the landlord's Notice to End for Cause and for the landlord to Comply with the Act in respect to alleged unreasonable disturbance and their right to quiet enjoyment.

Both parties were represented in this proceeding. The landlord and their representative and both tenants attended the hearing. Both parties confirmed their exchange of evidence and that the primary issue is regarding the landlord's 1 Month Notice to End for Cause (the Notice to End) dated March 13, 2018.

### **Background and Evidence**

**Section 63** of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, some discussion between the parties led to resolution of all the matters the parties presented as being the relevant matters. As a result the parties confirmed to me that they both agreed as follows;

1. the tenant will remove from the rental unit their collection of storage boxes by June 30, 2018.
2. the tenant will clear the deck of all excess items, castoffs and refuse by June 30, 2018.
3. the tenant will maintain secured garbage receptacles on the deck in a manner inaccessible to animals.

4. the tenant will not maintain compost on the deck.
5. with the required notice under the Act, the landlord is permitted to conduct an inspection after June 30, 2018 to ascertain compliance with the above terms.
6. the landlord withdraws the Notice to End dated March 13, 2018 and the tenancy continues. It is available to the landlord to issue a new Notice to End for sufficient and valid cause.
7. with a view to the tenant's right to quiet enjoyment, the landlord will endeavour to minimize inspections and solely for a purpose which is reasonable in compliance with the Act.

Both parties testified in the hearing confirming to me that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of this dispute.

### **Conclusion**

The parties settled their dispute in the above terms.

### **This Decision and Settlement are final and binding.**

*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: June 06, 2018

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Residential Tenancy Branch