



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62.

Both parties attended the hearing via conference call and provided affirmed testimony. At the outset, extensive discussions with both parties revealed that the named landlord is in fact just an agent of the landlord. Both parties confirmed that the actual landlord was a company. Further discussions also revealed that the tenants were not seeking an order for the landlord to comply with the Act, regulations or tenancy agreement, but instead a monetary claim for the loss of quiet enjoyment due to excessive noise which the landlord has failed to resolve. As such, the tenants' application is dismissed with leave to reapply. The tenant was counselled to file a new application detailing the monetary claim.

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: October 23, 2018

Residential Tenancy Branch