



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, RP, LRE, MNDCT

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the *Act*), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- an order for the landlord to comply with the *Act*, the Residential Tenancy Regulation (the Regulation) and/or tenancy agreement, pursuant to section 62 of the *Act*;
- an order requiring the landlord to carry out repairs, pursuant to section 33 of the *Act*;
- an order to restrict or suspend the landlord's right of entry, pursuant to section 70 of the *Act*; and
- a monetary order for compensation for damage or loss under the *Act*, the Regulation or tenancy agreement, pursuant to section 67 of the *Act*.

Both parties attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Settlement

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute regarding this application only.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The landlord will only enter the rental unit with written 24-hour notice in advance, except if there is an emergency;
2. The parties will be respectful, polite and peaceful with each other and the upstairs tenants;
3. The landlord will search for animals that may be living in the rental unit by August 28, 2020;
4. The landlord will ask the new tenants to not smoke in the back patio directly above the tenant's sliding door;
5. The tenant will be responsible with her pets and refrain from smoking in her rental unit.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

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: August 21, 2020

Residential Tenancy Branch