



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DEVONSHIRE PROPERTIES
INC and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes PSF FFT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (the Act). The tenants applied for the landlord to provide services or facilities as required under the Act, regulation or tenancy agreement, namely quiet enjoyment of the rental unit, and to recover the cost of the filing fee.

The tenants, as support person for the tenants, PK (support) and an agent for the landlord, DD (agent) attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Neither party raised any concerns regarding the service of documentary or digital evidence.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The landlord agrees to write to the tenant(s) of unit 502L to advise of the noise disturbing others.
2. The landlord agrees to advise the tenant(s) of unit 502L that if the noise continues that a Notice to End Tenancy will be issued.
3. The tenants agree to withdraw their application in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

I grant the tenants the recovery of the \$100.00 filing fee. I **authorize** the tenants a one-time rent reduction in the amount of **\$100.00** from a future month's rent in full satisfaction of the recovery of the cost of the filing fee, pursuant to section 62(3) of the Act.

Conclusion

I order the parties to comply with the terms of their settled agreement described above.

The tenants have been granted a one-time rent reduction of \$100.00 from a future month of rent for the filing fee.

The decision will be emailed to both parties.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: November 9, 2020

Residential Tenancy Branch