



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Ricechild Management Ltd dba Bayview Apartments  
and [tenant name suppressed to protect privacy]

## DECISION

### Dispute Codes

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a One Month Notice for Cause, issued on June 29, 2021. The tenant subsequently filed an amendment to their application on October 6, 2021 to include a 2<sup>nd</sup> One Month Notice for Cause, issued on September 27, 2021.

Both parties appeared.

The parties agreed that the landlord also has an Application for Dispute Resolution filed on October 19, 2021, scheduled to be hearing on November 26, 2021. The landlord's application is seeking an order of possession, based on the 2<sup>nd</sup> One Month Notice for Cause, issued on September 27, 2021 and for monetary compensation. I have referred to the landlord's application as it has withdrawn by the settlement agreement and is related to the tenant's application.

The hearing proceeded for 70 minutes. During the hearing the parties agreed to settle these matters, on the following conditions:

1. The parties agreed that the tenancy will end on **February 28, 2022**;
2. The parties agreed that should the tenant find suitable living accommodation prior to February 28, 2022, that the landlord waives their rights to 30 days notice. The tenant will inform the landlord if they find earlier living accommodation as soon as those arrangement have been made;
3. The landlord agreed to give the tenant a maintenance/request form. The tenant is to complete the form to cancel a damaged or loss fob and request a new fob. The tenant will pay \$50.00 for the new fob;

4. The tenant agreed that for the balance of their tenancy they will only use the treadmill between the hours of 9am and 12pm (noon) and that the tenant's son will not use the treadmill at any time;
5. The tenant agreed that their son will not disturb other occupants by buzzing other units in the attempt to gain access to the building;
6. The tenant agreed that they will make reasonable efforts to try and have their son not unreasonably disturb other occupant of the building and to keep the noise to a reasonable level;
7. The parties agreed that the landlord's application scheduled for November 26, 2021, be cancelled and that the landlord's application is withdrawn.
8. The landlord agreed that they will pay the tenant the cost of the filing fee of \$100.00. This will be repaid as follows: \$50.00 will go towards the new fob and the remaining \$50.00 will be deducted from the tenant's December 2021, rent.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

### Conclusion

As a result of the above settlement, landlord is granted an order of possession effective February 28, 2022. I authorize the tenant a onetime rent reduction in the amount of \$50.00 from December 2021, rent.

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: November 05, 2021

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Residential Tenancy Branch