



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MNDCT

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a One Month Notice to End Tenancy for Cause, (the “Notice”) and for monetary compensation for monetary loss or other money owed.

Both parties appeared.

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure authorizes me to dismiss unrelated disputes contained in a single application. In these circumstances the tenant indicated several matters of dispute on the Application for Dispute Resolution, the most urgent of which is the application to set aside the Notice. I find that not all the claims on this Application for Dispute Resolution are sufficiently related to be determined during these proceedings. I will, therefore, only consider the tenant’s request to set aside the Notice. The balance of the tenant’s applications is dismissed, with leave to reapply.

This hearing proceeded for the allotted time. During the hearing the parties agreed to settle on the following conditions:

- 1) The parties agreed the Notice is cancelled and the tenancy will continue;
- 2) The landlord agreed that they will arrange to have an air quality test completed as soon as possible and will notify the law centre with at least 4- or 5-days notice of the date and time, and the law centre will notify the tenant;
- 3) The landlord agreed that they will provide a copy of the air quality tests to the law centre, and the law centre will share that information to the tenant;
- 4) The parties agreed that the landlord will communicate with the law centre on only issues that are subject of this dispute by email and those emails address are

noted on the covering page of this decision; All other communication is to be done directly with the tenant.

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

Conclusion

As a result of the above settlement, the tenant's application to cancel the Notice is granted. The tenant is granted leave to reapply apply for monetary compensation if that matter is not resolved.

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 14, 2022

Residential Tenancy Branch