



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC

Introduction

This hearing convened as a result of the Tenants' Application for Dispute Resolution wherein the Tenant requested an Order cancelling a Notice to End Tenancy for Cause issued on (the "Notice") and to recover the filing fee.

The hearing of the Tenants' Application was scheduled for teleconference at 9:30 a.m. on January 26, 2023. Both parties called into the hearing. The Tenant M.L. called in as did her daughter, L.L. and a friend, P.F. The Landlord also called in on his own behalf. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter. The terms of their settlement follow.

1. The Notice is withdrawn. The tenancy shall continue until ended in accordance with the *Act*.
2. By no later than February 28, 2023 the Landlord shall replace the living room carpet with a water resistant material such as vinyl plank flooring.
3. The Tenants shall ensure their living room furniture is moved to facilitate the carpet removal and flooring installation.
4. By no later than February 28, 2023, the Tenants shall purchase an area rug for the living room, such a rug to be a minimum of 5' x 7' to reduce sound transference between the rental unit and other units.

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: January 26, 2023

Residential Tenancy Branch