



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding CAPREIT LIMITED PARTNERSHIP and
[tenant name suppressed to protect privacy]

DECISION

Introduction

This hearing was convened in response to applications by the Landlord and the Tenants.

The Landlord's application is seeking orders as follows:

1. To have the Tenants temporarily vacate the rental unit for repairs; and
2. To recover the cost of filing the application.

The tenants' application is seeking orders as follows:

1. To have the Landlord comply with the Act; and
2. To recover the cost of filing the application.

Both parties appeared and are noted on the covering page of this Decision.

During the hearing the parties agreed to settle these matters, on the following conditions:

- 1) The parties agreed that the Tenants are to give the Landlord temporary vacant possession of the rental unit for the duration of the repairs that are required to be made;
- 2) The date of repairs was not determined at the hearing as the contractor was not available to canvass dates;
- 3) The Landlord agreed that once they have determined the date of the contractor's availability they will give the Tenants three (3) months notice;
- 4) During the time of the repairs the Tenants will have no have any access to the rental unit;
- 5) The Tenants will ensure that any personal items left behind, such a furniture, must be moved to give at least eight (8) feet clearance to the impacted area and

is protected. The Tenants must remove any items of value. The Landlord is not the Tenants insurer; and

- 6) During the repairs the Tenants are not obligated to pay rent or the parking fee to preserve their tenancy.

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

The Tenants are cautioned that they must comply with the above settlement agreement.

As both parties paid to file their respective application. I decline to award either party their filing fee as they would simply offset the others.

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: May 27, 2024

Residential Tenancy Branch