



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding VICTORIA COOL AID SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing was scheduled to convene at 1:00 p.m. on September 3, 2024 concerning an application made by the tenant seeking an order cancelling a One Month Notice to End Tenancy For Cause.

The tenant and 2 agents for the landlord attended the hearing, and the tenant was accompanied by a Legal Advocate.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. The Notice to end the tenancy is cancelled, and the tenancy continues;
2. The landlord will assist with preparing a floor plan for the rental unit;
3. The tenant will ensure that the doors that access the tenant's rental unit must be able to open fully without obstruction within 2 weeks of receiving the floor plan;
4. The tenant will ensure that there is a 3 foot clear pathway from the front entrance of the rental unit to the bathroom, and to the bed, and to the window within 2 weeks;
5. The tenant will remove items placed near heaters within 2 weeks;
6. The tenant will remove all items so they do not obstruct sprinkler heads within 2 weeks;
7. The tenant will ensure that Items must not accumulate more than 4 feet high, or cannot cause injury from falling over, within 2 weeks;
8. Until December 1, 2024 tenant will adhere to weekly property inspections and engage with staff to declutter personal items, and organize items for keeping, storing, donating or discarding;
9. The tenant's Items can be stored for up to 2 weeks in the storage room provided on site, all current items in the storage room must be removed within 1 week, then must be relocated to the tenant's storage locker;
10. Weekly photographs will be taken by the landlord to mark progress, and there must be 40% reduction of items in the rental unit by December 1, 2024;

11. If the tenant fails to comply with this settlement agreement, the landlord will be at liberty to end the tenancy for breach of this settlement and order.

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.

Conclusion

For the reasons set out above, and by consent, the One Month Notice to End Tenancy For Cause dated June 28, 2024 is hereby cancelled and the tenancy continues until it has ended in accordance with the law.

I hereby order the parties to comply with the settlement agreement as set out above.

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: September 03, 2024

Residential Tenancy Branch