

## **DECISION**

Dispute Codes      CNC, FF

This is an application filed by the Tenant for an order to cancel a notice to end tenancy for cause and the recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony. As both parties have attended the hearing and have confirmed receipt of the evidence submitted by the other party, I am satisfied that both parties have been properly served with the notice of hearing and submitted evidence under the Act.

It was noted at the beginning of the hearing that neither party submitted a copy of the 1 month notice to end tenancy for cause. It was agreed upon by both parties that the Landlord served a 1 month notice to end tenancy for cause dated April 13, 2012 with a stated effective date of May 31, 2012.

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

Both parties agreed that as the issue (a dog living in the rental unit) resulted in the Landlord serving the notice to end tenancy for cause (no pets) has been resolved. The Tenant has now removed the dog from the rental in compliance with the tenancy agreement. The Landlord was unaware of this development and states that she would agree to withdraw the notice to end tenancy dated April 13, 2012 if the Tenant agrees to abide by the signed tenancy agreement and its addendum conditions. The Tenant has confirmed acceptance of this agreement and has withdrawn his application to cancel a notice to end tenancy for cause. As the Tenant has withdrawn his application, I find that no further action is required.

The above particulars comprise full and final settlement of all aspects of the dispute arising from this application for both parties.

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 09, 2012.

---

Residential Tenancy Branch