



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy issued by the Landlord.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The Landlord said the rental complex is for seniors and people with disabilities, therefore the Tenant's daughter cannot live in the Tenant's rental unit. The Landlord said there is no problem with the Tenant, but the Tenant's daughters activities are not allowed in the rental complex. The Landlord said they are willing to continue the tenancy with the Tenant if the daughter moves out and her activities in the complex are restricted to the day time only.
2. The Tenant said she understood the Landlord's concerns and she agrees that her daughter will move out of her rental unit as of May 8, 2012. The Tenant agreed that her daughter will not be allowed in the rental complex or in the Tenant's rental unit between the hours of 11:00 p. m. and 7:00 a.m. from now on unless the Landlord agrees to it. The Tenant understood as well that her daughter can visit her during the day time.
3. The Tenant and Landlord also agreed that the Landlord will be successful in obtaining an Order of Possession with an effective vacancy date of July 30, 2012 and that the Landlord would only serve the Order of Possession on the Tenant if the Tenant and the Tenant's daughter do not comply with this agreement.
4. The Landlord agrees to continue the tenancy as stated in the tenancy agreement with the Tenant if the Tenant and Tenant's daughter honour this agreement.

5. An Order of Possession has been issued to the Landlord with an effective vacancy date of July 30, 2012.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenant agreed to the above arrangement.

As no further action is required on this file, the file is closed.

### Conclusion

The Parties agreed to continue the tenancy.

The Parties agree to restrict access to the Tenant's rental unit for the Tenant's daughter as per the above arrangement.

The Landlord has received an Order of Possession with an effective vacancy date of July 30, 2012.

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*.

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Residential Tenancy Branch