

## **DECISION**

Dispute Codes      CNC, OLC, LRE

### **Introduction**

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order Cancelling a Notice to End Tenancy for Cause - Section 47;
2. An Order for the Landlord to comply with the Act - Section 62; and
3. An Order suspending or setting conditions on the Landlord’s right to enter the rental unit – section 63;

Both Parties attended the conference call hearing. At the outset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement.

### **Settlement Agreement**

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the parties desire to settle their dispute during the proceedings, and agreement reached between the parties during the proceedings, I find that the parties have settled their dispute over the end of the tenancy and the following records this settlement as a decision:

**The Parties mutually agree as follows:**

- 1. The tenancy will continue until 1:00 p.m. on January 31, 2013 at which time the tenancy will be ended;**

- 2. The Landlord will withdraw the notice to end tenancy for cause issued June 24, 2012;**
- 3. The Tenant will ensure that any guests do not physically disturb or harass other tenants for the remainder of the tenancy. If the Tenant does not meet this condition the Landlord will issue a notice to end tenancy in relation to the behaviour of the Tenant's guest or guests;**
- 4. If the Tenant is not able to sell the unit by January 31, 2013, the tenancy may continue on a month to month basis provided that the Tenant continues to meet all the obligations of the tenancy and the terms of this agreement;**
- 5. The Tenant will not confront or disturb any of the tenants who provided evidence for this Hearing; and**
- 6. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

#### Conclusion

The Parties have resolved the dispute as set out above on the mutually agreed upon terms.

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: July 24, 2012.

---

Residential Tenancy Branch