



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC, FF

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and to recover the fee for filing an Application for Dispute Resolution. Both parties were represented at the hearing. The address of the rental unit was amended at the hearing.

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside and is the Tenant entitled to recover the fee for filing the Application for Dispute Resolution?

Background and Evidence

The Landlord and the Tenant agree that a One Month Notice to End Tenancy for Cause was placed in the Tenant's mail box on January 14, 2013, which indicated that the Tenant must vacate the rental unit by February 15, 2013.

After considerable discussion the Landlord and the Tenant agreed to settle this dispute under the following terms:

- The tenancy will continue
- The Tenant agrees not to burn any substance, including cigarettes, sage, or incense, inside the rental unit for the duration of the tenancy.

Conclusion

This tenancy will continue on the basis of the aforementioned settlement agreement. 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: February 13, 2013