



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC Housing Management Commission
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, OPC, CNC, FF

Introduction

This hearing was convened by way of conference call concerning applications made by the landlord and by the tenants. The landlord has applied for an Order of Possession for breach of an agreement, for an Order of Possession for cause, and to recover the filing fee from the tenants for the cost of the application. The tenants have applied for an order cancelling a notice to end tenancy for cause.

An agent for the landlord attended the hearing and called one witness who testified out of order at the request of the landlord, to testify with respect to service or delivery of documents and evidence only. Both tenants also attended, but neither party to the dispute was affirmed nor did they give any testimony. The landlord's witness testified under oath with respect to service and delivery of documents.

During the course of the hearing, the parties agreed to settle this dispute on the following conditions:

1. The notice to end tenancy dated February 14, 2013 is hereby cancelled, by consent;
2. The tenants will ensure that noise levels in and around the rental unit are kept to a minimum so as not to disturb other occupants and neighbours;
3. The tenants will ensure that all guests of the tenants are not disturbing or threatening to any neighbours of the rental unit;
4. In the event that the tenants do not comply with this settlement agreement, the landlord will be at liberty to issue a notice to end tenancy for cause.

Conclusion

For the reasons set out above, the notice to end tenancy dated February 14, 2013 is hereby cancelled and the tenancy will continue.

I order the tenants to comply with the settlement agreement 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: March 20, 2013

Residential Tenancy Branch

