



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Kamloops Masonic Temple Association
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenant's application pursuant to section 47 of the *Residential Tenancy Act* (the *Act*) for cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice). Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions and to discuss this application with one another. The tenant confirmed that one of the landlords' representatives handed him the 1 Month Notice on May 24, 2013. The landlord confirmed that on May 31, 2013, the tenant handed one of the landlords' representatives a copy of his dispute resolution hearing package. I am satisfied that the parties served one another with the above documents in accordance with the *Act*.

Issues(s) to be Decided

Should the landlords' 1 Month Notice be cancelled?

Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. Prior to this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding resolution of all issues in dispute arising out of this tenancy at this time under the following terms:

1. The landlords revoked the 1 Month Notice issued on May 24, 2013, and are no longer seeking an end to this tenancy on the basis of the 1 Month Notice.
2. The tenant withdrew the application to cancel the 1 Month Notice.
3. Both parties agreed that the above settlement agreement constituted a final and binding resolution of all issues in dispute arising out of this tenancy at this time.

Conclusion

To give effect to the above settlement agreement reached between the parties, I cancel the landlords' 1 Month Notice, with the effect that this tenancy continues.

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: June 24, 2013

Residential Tenancy Branch