



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Notice to End Tenancy was personally served on the Tenant on October 30, 2013. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the landlord on October 31, 2013. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated October 30, 2013?

Background and Evidence

The tenancy began approximately 40 years ago. The present rent is \$1023 per month payable on the first day of each month.

The landlord does not wish to terminate the tenancy. However, he is concerned about the conduct of a grandson presently living in the rental unit with the female tenant.

Settlement:

The parties reached a settlement and they asked the I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The landlord shall withdraw the one month Notice to End Tenancy on a without prejudice basis.
- b. The tenancy shall be reinstated.

As a result of the settlement **I order that the one month Notice to End Tenancy shall be cancelled as withdrawn.** The rights and obligations of the parties shall remain unchanged. The landlord retains the right to serve a new Notice to End Tenancy based on the grounds and evidence of this Notice.

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: December 13, 2013

Residential Tenancy Branch

