



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PHS COMMUNITY SERVICES SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing was convened in relation to the tenant's application for cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47 of the *Residential Tenancy Act* (the Act).

The tenant and his advocate attended. The landlord's agent attended.

Neither party raised any issues regarding service of documents.

In the course of the hearing the parties were able to agree to terms under which the tenancy would continue.

Analysis

Pursuant to section 63 of the Act, an 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. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant agreed to withdraw his application.
2. The landlord agreed to withdraw the 1 Month Notice.
3. The tenant agreed that he would not make verbal threats to other occupants of the residential property or the landlord's staff.

4. The tenant agreed that he would maintain a reasonable noise level within his rental unit.
5. The tenant agreed that he would not cause damage to the residential property.
6. The tenant acknowledged that this agreement is a warning to him about his conduct and that it may be used as evidence in a subsequent hearing to support another 1 Month Notice

The agent confirmed that he had authority to bind the landlord to this agreement. Each party stated that he understood the terms of this agreement and agreed to it. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

The tenant's application is withdrawn. The landlord's 1 Month Notice is withdrawn.

The tenancy will continue until it is ended in accordance with the Act.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: January 07, 2016

Residential Tenancy Branch

