



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for cause and for an order that the landlord comply with the *Act*, regulation or tenancy agreement.

The tenant and the landlord attended the hearing, during which the parties agreed to settle this dispute in the following terms:

- The 1 Month Notice to End Tenancy for Cause dated February 18, 2017 is cancelled and the tenancy continues;
- The tenant will not smoke near the rental home ensuring that it doesn't bother other tenants;
- The tenant will ensure the noise level within the rental home is kept to a minimal;
- The application for an order that the landlord comply with the *Act*, regulation or tenancy agreement is withdrawn by the tenant.

Conclusion

For the reasons set out above, and by consent, the 1 Month Notice to End Tenancy for Cause dated February 18, 2017 is hereby cancelled and the tenancy continues.

I hereby order the tenant to refrain from smoking near the rental home and ensure that smoking does not bother other tenants.

I further order that the tenant keep the noise level within the rental complex to a minimal.

The tenant's application for an order that the landlord comply with the *Act*, regulation or tenancy agreement is hereby dismissed as withdrawn.

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 23, 2017

Residential Tenancy Branch

