



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

A hearing was convened based on cross-applications under the *Residential Tenancy Act* (the “Act”). The landlord applied for an order of possession based on a 1 Month Notice to End Tenancy for Cause dated May 11, 2017 (the “1 Month Notice”) and for recovery of the application filing fee.

The tenant applied for an order cancelling the 1 Month Notice. By way of a separate application, the tenant applied for a monetary order for breach of the Act, regulation, or tenancy agreement and an order that the landlord make repairs.

The landlord attended the hearing with her spouse. The tenant also attended the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and had the opportunity to present their evidence orally and in written and documentary form, to make submissions, and to respond to the other party.

At the outset of the hearing I advised the parties of their option to have me assist in mediating an agreement with respect to this tenancy. I further advised that any agreement would be documented in my decision pursuant to section 63 of the Act. It was made clear to the parties that there was no obligation to resolve the dispute through settlement and that they were responsible for deciding the terms of any settlement reached.

### Settlement

Over the course of the hearing, the parties reached an agreement to settle this matter on the terms set out below.

1. The landlord withdraws the 1 Month Notice and her application (filed May 26, 2017) for an order of possession based on the 1 Month Notice and for recovery of the filing fee.
2. The tenant withdraws her application to cancel the 1 Month Notice (filed May 15, 2017) and her application for monetary and repair orders (filed May 10, 2017).
3. This tenancy will end at 1:00 pm on August 31, 2017.
4. The tenant may end the tenancy earlier than August 31, 2017, and the landlord will require only two weeks' notice if the tenant chooses to end the tenancy earlier.
5. The landlord will temporarily modify or repair the gate on the rental unit property so that the tenant's dog can move about freely in the yard without risk of escape.

### Conclusion

This matter has been settled. The parties are bound by the terms of the agreement set out above and by the Act. Should either party violate the terms of this agreement or the Act, it is open to the other party to apply for monetary compensation or other orders under the Act.

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

Dated: June 23, 2017

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Residential Tenancy Branch