



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes MT CNC

Introduction

This hearing was convened in response to an application by the tenant filed July 13, 2017 for more time to make their application to cancel the landlord's Notice to End for Cause and if granted to dispute the landlord's Notice with an automatically adjusted effective date of August 31, 2017. Both parties attended the conference call. The landlord acknowledged receiving the evidence of the tenant. The landlord claims they submitted late evidence 5 days before the hearing by facsimile transmission however I do not have benefit of the landlord's late evidence and the tenant testified they did not receive evidence from the landlord. The tenant filed their application within the prescribed time to do so therefore more time to make this application is not necessary.

Background and Evidence

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, some discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows;

1. Both parties agree that **the tenancy may continue** pursuant to the following agreements by the parties.
2. Both parties agree that **the tenant will clean up the back yard** of the residential property of all refuse and castoffs regardless of the items' ownership.
3. The tenant agrees they **will not be the source of complaints to the landlord** from other residents of the residential property.
4. Both parties agree that **the tenant will not sublet nor sublease the rental unit** without the consent of the landlord.

These particulars comprise the **full and final settlement** of all aspects of this dispute. Both parties testified at the hearing that they understood and agreed to the above terms.

Conclusion

The parties settled their dispute in the above terms.

This Decision and Settlement are final and binding on both parties.

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: September 25, 2017

Residential Tenancy Branch