



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's One Month Notice to End Tenancy for Cause (the One Month Notice) pursuant to section 47;

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

Terms of Settlement

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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agrees to withdraw the One Month Notice to End Tenancy dated August 28, 2017.
2. The tenant agrees to not have more than 5 individual guests per day permitted to his rental unit. The parties agree that B.C., who is known to both the landlord and the tenant, is excluded from the calculation of the daily 5 guest restriction.
3. The tenant agrees to not have any guests to his rental unit between the hours of 9:00 p.m. and 8:00 a.m.

4. The parties further agree that the above conditions now constitute a material term of the tenancy agreement. Any breach of the above conditions may result in the landlord issuing a One month Notice to End Tenancy to the tenant for breach of a material term.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

This Decision and Settlement Agreement is final and binding on both parties.

Conclusion

The landlord's One Month Notice dated August 28, 2017 is withdrawn.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: November 24, 2017

Residential Tenancy Branch