



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 an Application for Dispute Resolution by the tenant to cancel two One Month Notices to End Tenancy for Cause, issued on January 24, 2018 and Marcy 3, 2018.

Both parties appeared.

Preliminary issue

It should be noted that at the start of the hearing the tenant stated that they have a no contact or indirect contact order with RG the person assisting the landlord and does not want to be in breach of the order.

As this is a legal matter and schedule for hearing on today's date and conducted by telephone, I find the hearing must proceed.

RG is not bound by the order, and has a right to assist the landlord in this matter. Although, I asked RG if they would leave the telephone hearing they declined to do so. Further it would be unfair and prejudicial to the tenant if they were unable to participate in the hearing, as this is related to their tenancy and is an issue between the tenant and the landlord, not RG.

I also note for the record that the tenant and RG did not have any communication directly or indirectly during the hearing as the landlord was able to resolve this matter with the tenant.

During the hearing the parties agreed to settle these matters, on the following conditions:

- 1) The parties agreed to mutually end the tenancy effective June 30, 2018; and
- 2) The parties agreed that if the tenant can find earlier accommodation that the landlord waives the required one month notice.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

As a result of the above settlement the landlord is granted an order of possession should the tenant fail to comply with the settlement agreement.

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: April 03, 2018

Residential Tenancy Branch