



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ATIRA PROPERTY MGT.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, OLC

Introduction

This is an Application for Dispute Resolution (the “Application”) brought by the Tenant requesting cancellation of a Notice to End Tenancy for Cause and an order for the Landlord to comply with the Act, regulations and/or tenancy agreement. The Notice served by the Landlord was for disturbing others and seriously jeopardizing health and safety of others, as a result of a dog bite incident on or about April 13, 2018.

The Tenant along with her advocate, DD, appeared for the scheduled hearing; the Landlord was represented by the Assistant Manager of the Dominion Hotel, CB. I find that the notice of hearing was properly served and that evidence was submitted and served by all parties.

The hearing process was explained and parties were given an opportunity to ask any questions about the process. The advocate for the Tenant indicated that the parties had discussed a possible settlement.

I informed the parties that Section 63 of the Act allows an Arbitrator to 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. As a result, the parties were able to reach a settlement agreement to continue the tenancy under certain conditions.

Settlement Agreement

Both parties voluntarily agreed that the Landlord will rescind its One Month Notice to End Tenancy dated April 13, 2018 under the following terms and conditions:

1. The Tenant's pet dog, Prince, shall remain muzzled at all times when passing through common areas at the residential premises;
2. The Tenant and/or her partner must maintain full control of the said dog at all times when it is not inside the rental unit; and
3. The Tenant and/or her partner must return the dog immediately to the rental unit if it shows any signs of aggression.

The parties confirmed during the hearing and at the end of the hearing that they had entered into this Agreement voluntarily, understood the full nature of this Agreement and its meaning, and agreed to the above terms and conditions. The parties understood that this Agreement is final and binding and in full satisfaction of the Tenant's Application.

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: June 4, 2018

Residential Tenancy Branch