



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, FFT

Introduction

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

- Cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the "1 Month Notice") pursuant to section 47;
- An order that the landlord comply with the Act, regulations or tenancy agreement pursuant to section 62; and
- Authorization to recover the filing fee for the application pursuant to section 72.

Both parties were represented at the hearing and were given a full opportunity to present affirmed testimony, make submissions, present evidence, and call witnesses.. The corporate landlord was represented by its agent SW (the "landlord"). The personal tenant was represented by their agent AB (the "tenant").

As both parties were present service was confirmed. The tenant confirmed receipt of the landlord's 1 Month Notice dated May 25, 2018 and their evidence. The landlord confirmed receipt of the tenant's application for dispute resolution dated May 31, 2018 and the evidentiary materials. Based on the testimonies I find that the parties were each served with the respective materials in accordance with sections 88 and 89 of the *Act*.

Analysis

Pursuant to section 63 of the *Act*, the 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. During the

hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The parties agree the 1 Month Notice dated May 25, 2018 is cancelled and of no further force or effect.
2. This tenancy will continue according to the terms of the current tenancy agreement until ended in accordance with the Act.
3. Rent for this tenancy will be \$1,528.00 a month payable on the 1st of each month commencing August 1, 2018.
4. The tenant will issue a one-time payment of \$116.00 by August 1, 2018..
5. This settlement agreement constitutes a final and binding resolution of the landlord's application at this hearing.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

This tenancy will continue pursuant to the settlement terms provided above.

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: July 19, 2018

Residential Tenancy Branch