



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes: CNC

Introduction

This hearing was convened in response to an application by the tenant pursuant to the *Residential Tenancy Act* (the Act) to cancel a 1 Month Notice to End Tenancy for Cause. Both parties attended the hearing and provided testimony.

The parties agreed the landlord served the tenant a 1 Month Notice for Cause dated August 25, 2018 with an effective date of September 30, 2018.

During the course of the hearing the parties discussed their dispute and agreed to settle the issues in dispute to the full satisfaction of both parties. **Section 63** of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties led to resolution of the relevant matter.

As a result the parties confirmed to me that they both agreed as follows;

1. the tenancy will end no later than **November 30, 2018** and the landlord will receive an Order of Possession effective the agreed date. It is available to the tenant to vacate sooner.
2. the tenant will utilize *audio headphones* when listening to music, but none the less, will endeavour to maintain the level of their music to a *respectful volume* in consideration of other occupants of the residential property.

Both parties testified in the hearing confirming to me that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of this dispute.

So as to perfect this settlement agreement,

The landlord is given an **Order of Possession, effective November 30, 2018.**

The tenant must be served with this Order. If the tenant fails to comply with the Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

Conclusion

The parties settled their dispute in the above terms.

This Decision and Settlement agreement are final and binding.

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: October 23, 2018

Residential Tenancy Branch