



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DEVON PROPERTIES LTD. and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FF

Introduction

This hearing was convened as a result of the Tenant's Application made on December 31, 2018, for dispute resolution under the *Residential Tenancy Act* (the "Act"). The Tenant applied to cancel a One Month Notice To End Tenancy For Cause (the "One Month Notice") dated December 19, 2018.

The Tenant and the Landlord's agent E.S. attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the One Month Notice dated December 19, 2018 is set aside.
2. The parties agreed that the tenancy will continue in accordance with the *Act*.
3. The parties agreed that the Tenant is entitled to recover the \$100.00 filing fee paid to make the Application. This amount may be deducted from a future rent payment at the Tenants discretion.
4. The Tenant withdraws their Application in full as part of this mutually agreed settlement.

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

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: February 13, 2019

Residential Tenancy Branch