



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VANCOUVER RESOURCE SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-4M OLC FFT

Introduction

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

- cancellation of the landlord's Four Month Notice to End Tenancy for Conversion of Rental Unit (the "**Notice**") pursuant to section 49;
- an order requiring the landlord to comply with the Act pursuant to section 62; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

The landlord and both tenants attended the hearing. The tenants were represented by an advocate. All parties in attendance were given a full opportunity to be heard, to present their affirmed testimony, to make submissions and to call witnesses.

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 attending parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

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

1. The tenants may remain in their current rental unit (the “**Current Unit**”) until such time as another two-bedroom unit becomes vacant in the rental property (the “**New Unit**”).
2. The landlord will permit the tenants to move into the New Unit.
3. The tenants will vacate the Current Unit within 30 days of being notified that the New Unit is vacant.
4. The tenants will move into the New Unit within 30 days of being notified that the New Unit is vacant.
5. The tenants and the landlord will enter into a new tenancy agreement, of the standard Landlord BC British Columbia Residential Tenancy Agreement form, for the rental of the New Unit, which will include the following terms:
 - a. Monthly rent is \$960;
 - b. Inside the New Unit, the tenants may not:
 - i. smoke tobacco or marijuana; or
 - ii. engage in “vaping”;
 - iii. grown or cultivate marijuana;
 - c. The tenants may retain their three cats in the New Unit; and
 - d. An addendum regarding the prohibition on criminal activity.
6. The landlord agrees that the Notice is withdrawn.

These particulars comprise the full and final settlement of all aspects of this dispute for the attending parties. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final and binding, which settle all aspects of this dispute between these parties.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this 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: February 07, 2019

Residential Tenancy Branch