



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ANEE HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MT, FFT

Introduction

This decision is in respect of the tenant's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenant sought the following remedies:

1. an order cancelling a One Month Notice to End Tenancy for Cause (the "Notice"), pursuant to section 47(4) of the Act;
2. an extension of time in which to file a dispute, pursuant to section 66(1) of the Act; and,
3. an order for compensation for the filing fee, pursuant to section 72 of the Act.

A dispute resolution hearing was convened at 9:30 AM on February 12, 2019 and the landlord, the landlord's daughter, the tenant, the tenant's friend, and two advocates for the tenant attended, were given a full opportunity to be heard, to present testimony, to make submissions, and to call witnesses. The parties did not raise any issues in respect of service.

I note that the hearing was interrupted during the first several minutes due to other parties calling into the hearing on an unrelated file that was booked in error during this hearing's timeslot. The parties to the dispute in front me were patient as I assisted the unrelated parties with their matter, who left the hearing by approximately 9:45 AM.

Settlement Agreement

The tenant's advocate proposed a settlement in respect of this matter, and, after some discussion between the parties, the landlord accepted a settlement.

Section 63 of the Act permits me to assist the parties or offer the parties an opportunity to settle their dispute. If the parties settle their dispute during the hearing, I record the settlement in the form of a decision or an order.

The parties agreed to settle this matter as follows:

1. the parties agree that the tenancy will end on June 30, 2019;
2. the tenant will provide the landlord with one month's notice if the tenant chooses to vacate before June 30, 2019; and,
3. the landlord will provide a reference letter for the tenant in support of her search for a new place to live.

The parties confirmed during, and at the end of the hearing, that this settlement agreement was made voluntarily.

As the outcome was achieved through negotiation, I decline to award recovery of the filing fee to the tenant.

Conclusion

I order the parties to comply with the terms of the settlement agreement as set out 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 Act.

Dated: February 12, 2019

Residential Tenancy Branch