



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute codes      CNR

### Introduction

This hearing dealt with the tenant's Application for Dispute Resolution (the Application) for cancellation of the landlord's 10 Day Notice to End Tenancy for unpaid rent (the 10 Day Notice), pursuant to section 46 of the *Residential Tenancy Act* (the Act).

The landlord's agent (the landlord), the tenant and a witness attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions, to call witnesses and to cross-examine one another. The tenant also had an advocate attend the hearing to assist with their submissions.

### 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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the tenant's application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The landlord agreed to withdraw the 10 Day Notice dated January 02, 2019.
2. The landlord agreed to repair the bathroom for the second bedroom in order to have it in acceptable condition for reasonable use, including the toilet, bathtub knobs and the fan by February 21, 2019.
3. Providing that the landlord complies with clause 2 of this settlement, the landlord and the tenant agreed that the tenant will rent the whole rental unit for \$800.00 per month as of March 01, 2019, and that the tenant will find a new occupant for the second bedroom who will be approved by the landlord before occupying that room.

4. Both parties agreed that these particulars comprise the full settlement of all aspects of the tenant's current Application arising out of the 10 Day Notice dated January 02, 2019.

Conclusion

The 10 Day Notice dated January 02, 2019, is withdrawn and is of no force or effect.

This tenancy continues until it is ended in accordance with the *Act*.

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 15, 2019

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Residential Tenancy Branch