



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC, OLC, FFT

### Introduction

This hearing was convened as a result of the tenant's Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act"). The tenant applied to cancel a 1 Month Notice to End Tenancy for Cause dated December 31, 2018 ("1 Month Notice"), for an order directing the landlords to comply with the *Act*, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenant and the landlords attended the teleconference 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 parties had the hearing process explained to them and the parties were also provided with the ability to ask questions during the hearing.

### Preliminary and Procedural Matter

The parties confirmed their email addresses at the outset of the hearing. The parties also confirmed their understanding that the decision would be emailed to both parties and that any applicable orders would be emailed to the appropriate party.

### Settlement Agreement

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

1. The parties agree that the tenancy will end on **March 31, 2019 at 1:00 p.m.**
2. The landlords are granted an order of possession effective March 31, 2019 at 1:00 p.m.
3. The parties agree that rent for March 2019 will be \$700.00 due March 1, 2019.

4. The tenant agrees to do his best to keep noise at a reasonable level for the remainder of the tenancy.
5. The tenant withdraws his application and the parties mutually withdraw the 1 Month Notice as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties confirmed their understanding and agreement that this mutually settled agreement was made on a voluntary basis and that the parties understood the final and binding nature of their settlement agreement and that it was enforceable.

### Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above as per section 63 of the *Act*.

The tenancy shall end on March 31, 2019 at 1:00 p.m. The landlords have been granted an order of possession effective March 31, 2019 at 1:00 p.m. This order must be served on the tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The tenant will pay \$700.00 for March 2019 rent due March 1, 2019.

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 11, 2019

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Residential Tenancy Branch