



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MURRAY HILL DEVELOPMENTS
LTD. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FFT

Introduction

This hearing convened as a Tenant's Application for Dispute Resolution, filed on March 5, 2019, wherein the Tenant requested to cancel a 1 Month Notice to End Tenancy issued on February 22, 2019 (the "Notice") and to recover the filing fee.

The hearing was conducted by teleconference at 9:30 a.m. on April 25, 2019.

Both parties called into the hearing and were provided the opportunity to present their evidence orally and in written and documentary form and to make submissions to me.

Preliminary Matters

The parties confirmed their email addresses during the hearing as well as their understanding that this Decision would be emailed to them.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

The terms of their settlement follow.

Settlement and Conclusion

1. The Notice is withdrawn.
2. The parties shall restrict their communication to matters relating to the tenancy and shall communicate by email; for this purpose the parties' email addresses are provided on the unpublished cover page of this my Decision.
3. Should the Tenant bring any future applications before the residential tenancy branch, the Tenant shall serve the Landlord at the address noted on the residential tenancy agreement.
4. The Tenant shall reduce his next month's rent (May 2019) by \$50.00 representing recovery of one half of the filing fee.
5. By no later than April 25, 2019, the Landlord shall return the Tenant's post-dated cheque for May 2019.
6. The Landlord shall ensure the rental buildings' no smoking policy is enforced for residents, staff, and guests at the rental building.

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: April 25, 2019

Residential Tenancy Branch