



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VALERIE SUSKI
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy for Cause.

The Tenant said he served the Landlord with the Application and Notice of Hearing (the “hearing package”) by personal delivery on April 7, 2019. Based on the evidence of the Tenant, I find that the Landlord was served with the Tenant’s hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

Issues(s) to be Decided

1. Is the Tenant entitled to an order to cancel the Notice to End Tenancy?

During the course of the hearing, the parties reached an agreement to settle this matter, on the following conditions:

1. the Landlord agreed to cancel the 1 Month Notice to End Tenancy for Cause dated March 30, 2019 and continue the tenancy, as well as providing an exception to the pet clause in the tenancy agreement for the Tenant based on the following conditions:
 - the Tenant agrees only one dog will be allowed at his unit.
 - the Tenant agrees the dog known to the Tenant will only stay at the unit a maximum of 4 hours unless otherwise agreed to in writing by the Landlord.

- all visits by the dog known to the Tenant will be authorized in writing by the Landlord prior to the dog entering the rental complex.
- the Tenant agrees that if he breaches this agreement in any way he will voluntarily move out of the rental unit within 30 days.
- if the Tenant breaches this agreement the Landlord is at liberty to issue a new Notice to End Tenancy and apply for an Order of Possession based on this settlement agreement.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenant agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to continue the tenancy on the above conditions and arrangement.

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: May 07, 2019

Residential Tenancy Branch