



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

This hearing dealt with an application by the tenants under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of One Month Notice to End Tenancy for Cause dated October 9, 2019 (“One Month Notice”), pursuant to section 47;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

YC attended as agent for the landlord (“the landlord”). The tenant MP attended.

No issues of service were raised. I find the Applicant served the Respondent as required under the *Act*.

The tenant MP joined the hearing while it was in process and explained that he misunderstood the scheduled time. The hearing lasted 40 minutes.

Both parties had an opportunity to be heard, to present their affirmed testimony and to make submissions.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

The parties agreed as follows:

- As the tenant MP's wife, the tenant RP, has dementia, the tenant MP agreed that the tenant RP shall be continually in the care of the tenant MP or an appropriate caregiver appointed by him beginning immediately and continuing as long as the tenancy agreement between the parties is in effect;
- The One Month Notice is withdrawn by the landlord.

The parties are still bound by all the rights, responsibilities, terms, conditions and any statutory compensation provisions of the tenancy agreement, the *Act*, and the associated regulations.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

Conclusion

Further to the above settlement agreement, the One Month Notice to End Tenancy is withdrawn, and the tenancy shall continue until ended pursuant to the terms of the agreement between the parties and the *Act*.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: November 19, 2019

Residential Tenancy Branch