



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an Application for Dispute Resolution (the Application”) that was filed by the Tenant under the Residential Tenancy Act (the “Act”), seeking cancellation of a One Month Notice to End Tenancy for Cause (the “One Month Notice”).

The hearing was convened by telephone conference call and was attended by the Tenant, a support person for the Tenant and agent for the Landlord (the “Agent”). All parties provided affirmed testimony.

Settlement

At the outset of the hearing the parties indicated that they had reached a settlement agreement, a copy of which was provided by the Landlord in the documentary evidence before me, and that they would like the agreed upon terms documented by me in my decision. The parties were advised that there is no obligation to resolve the dispute through settlement, but that pursuant to section 63 of the *Act*, I could assist the parties in documenting their settlement an agreement.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The tenant must stay at least 1 foot away from his window when people are entering or exiting the building.
2. The tenant must not engage, in any way, with A.S. who lives in the same building. This includes comments under his breath or to others if he thinks she is out of hearing distance.
3. The tenant is to refrain from any intimidating types of behaviour such as staring or watching people in a way that a reasonable person would find uncomfortable.
4. The tenant must not attempt to intimidate, in any way, any occupants or guests at the building.

5. The Landlord agrees that the One Month Notice dated December 17, 2019, is cancelled and of no force or effect.
6. The tenant withdraws their Application in full.
7. Both parties agree that the terms of this settlement agreement constitute material terms of the tenancy agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

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 28, 2020

Residential Tenancy Branch