



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was convened in response to an application by the Tenant for an order cancelling a notice to end tenancy pursuant to section 47 of the *Residential Tenancy Act* (the “Act”).

Both Parties attended the conference call hearing. At the onset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement. 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.

Agreed Facts

The tenancy, under written agreement, began on May 1, 2008. Rent of \$578.00 is payable on the first day of each month. At the outset of the tenancy, the Landlord collected \$381.50 as a security deposit from the Tenant. On December 9, 2019 the Landlord served the Tenant with a one month notice to end tenancy for cause (the “Notice”) setting out an effective date of January 31, 2020.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The Tenant will not allow its daughter’s guests to be in the unit without the Tenant present;**

- 2. The Tenant will not allow any drinking, smoking or disturbance on the patio or common property;**
- 3. If the Tenant's guests are disruptive the Tenant must ask them to leave and if the guests refuse to leave the Tenant will call the police;**
- 4. The Notice is withdrawn; and**
- 5. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above and I cancel the Notice.

Conclusion

The Parties have settled the dispute, the notice is cancelled, and the tenancy continues.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: February 20, 2020

Residential Tenancy Branch