



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for cause, and to recover the filing fee from the landlord for the cost of the application.

The tenant and an Advocate for the tenant attended the call. The landlord named in the tenant's application also attended who was introduced as the building manager, and the owner also attended.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. The parties will enter into a written tenancy agreement, along with the tenant's room-mate, by the end of business on Friday, August 7, 2020;
2. The tenancy agreement will contain a clause stating that the tenant may assign or sublet the rental unit to another person with the written consent of the landlord;
3. The tenant will be respectful and considerate of other occupants of the rental property while smoking on the patio or deck or balcony. If there are more people than the tenant and the tenant's current room-mate smoking at a time, they will do so in the parking lot or designated smoking areas.

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.

Since the parties have settled this dispute, I cancel the One Month Notice to End Tenancy for Cause and the tenancy continues.

Since the parties have settled this dispute, I decline to order that the tenant recover the filing fee from the landlord.

Conclusion

For the reasons set out above, and by consent, the undated One Month Notice to End Tenancy for Cause, which contains an effective date of vacancy of July 31, 2020 is hereby cancelled and the tenancy continues.

I order the parties to comply with the settlement agreement set out 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: August 04, 2020

Residential Tenancy Branch