



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC

Introduction

On March 17, 2021, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) to cancel a One Month Notice to End Tenancy for Cause, dated March 10, 2021.

On April 9, 2021, the Tenant submitted an Application for Dispute Resolution under the Act to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, dated April 5, 2021. The two Applications were crossed, and the matters were set for a participatory hearing via conference call.

The Landlord’s agent and the Tenant attended the hearing and provided testimony. They were provided the opportunity to present their relevant oral, written and documentary evidence and to make submissions at the hearing.

At the beginning of the hearing, both parties agreed that the rent had been paid and that there was no need to proceed with the Tenant’s Application to cancel a 10 Day Notice for Unpaid Rent. I find that this matter has been withdrawn by the Tenant.

Preliminary Matters - Settlement

Section 63 of the Act allows an Arbitrator to assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision and include an Order. Accordingly, I assisted the parties to resolve this dispute by helping them negotiate terms for a Settlement Agreement with the input from both parties.

Settlement Agreement

The Landlord and Tenant confirmed during the hearing that this agreement was made voluntarily and that it was made in full satisfaction of the Tenant’s Application.

1. The Landlord withdrew the One Month Notice to End Tenancy, dated March 10, 2021.

2. The Tenant agreed to keep the noise down, which includes no yelling or loud music, especially after 10:00 p.m.
3. The Tenant agreed to stop walking around the common areas of the residential property in his housecoat.
4. The Tenant agreed to stop leaving his door open while being naked inside the rental unit.
5. The Tenant agreed to accept a One Month Notice to End Tenancy if any of the above terms are breached.
6. This Application is now closed.

This agreement was summarized for the parties on two occasions and all parties in attendance at the hearing indicated that they agreed to resolve this dispute under these terms. The Landlord and the Tenant both acknowledged that they understood they were not required to enter into this agreement and that they understood the agreement was final and binding.

Conclusion

The above Settlement Agreement is made in full satisfaction of the Tenant's Application.

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: June 29, 2021

Residential Tenancy Branch