



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC

Introduction

This hearing dealt with two applications of the tenants pursuant to the *Residential Tenancy Act* (the “**Act**”) for:

- cancellation of the 10 Day Notice to End Tenancy for Unpaid Rent (the “**10 Day Notice**”) pursuant to section 46; and
- cancellation of the One Month Notice to End Tenancy for Cause (the “**One Month Notice**”) pursuant to section 47.

All parties attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Settlement

Pursuant to section 63 of the Act, an arbitrator may 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 or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenants will vacate the rental unit on or before November 15, 2021 at 1:00 pm
2. The tenants will refrain from engaging in conduct which unreasonably disturbs other occupants of the residential property including, but not limited, to:
 - a. vacuuming after 9:00 pm;
 - b. moving furniture after 9:00 pm;
 - c. fights or arguments with each other or individuals they have invited into the rental unit; and
 - d. knocking on the door of other occupants.
3. The tenants will cease further communication with the landlord regarding mould issues in the rental unit.
4. The tenants may make an application to the Residential Tenancy Branch to have any issues relating to mould in the rental unit.

These particulars comprise the full and final settlement of all aspects of this dispute. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of this dispute between them.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties, and as discussed at the hearing, I issue the attached order of possession which orders that the tenant provide vacant possession of the rental unit to the landlord by 1:00 pm on November 15, 2021

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 16, 2021

Residential Tenancy Branch