



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Cutting Edge Holdings
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-MT, OLC, FFT

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 49;
2. An Order granting more time to make the application to cancel the notice to end tenancy - Section 66;
3. An Order for the Landlord’s compliance - Section 62; and
4. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. During the Hearing the Parties reached a settlement agreement. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy began on January 28, 2016. Rent of \$665.00 is payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit of \$320.00. On September 27, 2021 the Landlord gave the Tenant a two month notice to end tenancy for landlord’s use (the “Notice”). The reason stated on the Notice is that the child of the landlord or the landlord’s spouse will occupy the unit.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The Notice is cancelled, and the tenancy continues until otherwise ended by either Party; and**
- 2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the 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 that the Tenant is entitled to a cancellation of the Notice. The tenancy continues.

Conclusion

The Notice is cancelled, and the tenancy continues as agreed between the Parties.

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: December 09, 2021

Residential Tenancy Branch