



# 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 and were each given full opportunity under oath to be heard, to present evidence and to make submissions. The Tenant confirms receipt of the Landlord’s evidence. During the hearing the Parties reached a settlement agreement.

### **Agreed Facts**

The tenancy began on June 1, 2020. Rent of \$650.00 is payable on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit of \$325.00. The Landlord gave the Tenant a one month notice to end tenancy for cause dated September 17, 2021 (the “Notice”). Since serving the Notice there has been no further disturbance other than one noise complaint. The Tenant is remorseful and will not cause any disturbance again.

### **Settlement Agreement**

**The Parties mutually agree as follows:**

- 1. The Landlord withdraws the Notice, and the tenancy continues;**

- 2. The Tenant will not engage in any behavior that disturbs any other tenant or the Landlord going forward; and**
- 3. 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. To give effect to the agreement I order that the Notice is cancelled, and the tenancy continues.

#### Conclusion

The Parties have settled the dispute. 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 07, 2022

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Residential Tenancy Branch