



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC-MT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking more time than prescribed to dispute a notice to end the tenancy, and for an order cancelling a notice to end the tenancy for cause.

The tenant attended the hearing with legal counsel, and an agent for the landlord attended, accompanied by a person for training purposes.

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

1. the One Month Notice to End Tenancy for Cause is hereby cancelled and the tenancy continues;
2. the tenant will abide by the material terms of the tenancy agreement, and specifically: "The Tenant agrees to the following material term regarding smoking; no smoking of any combustible material on the residential property, including within the rental unit;" and, "Smoking and Vaping: The tenant agrees to the following material term regarding smoking. No vaping or smoking of any combustible material is permitted on or within the residential property, including within the rental unit."

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.

Conclusion

For the reasons set out above, and by consent, the One Month Notice to End Tenancy for Cause dated February 18, 2022 is hereby cancelled and the tenancy continues.

I hereby order the tenant to comply with the material terms of the tenancy agreement as set out above, and to refrain from vaping or smoking any combustible material, and to disallow any guests from vaping or smoking any combustible material in the rental unit or on the rental property.

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: May 05, 2022

Residential Tenancy Branch