



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding LU'MA NATIVE HOUSING SOCIETY  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, FFT

### Introduction

This hearing dealt with the Tenant's application under the *Residential Tenancy Act* (the "Act") for:

- cancellation of a One Month Notice to End Tenancy for Cause dated January 26, 2022 (the "One Month Notice") pursuant to section 47; and
- authorization to recover the filing fee for this application from the Landlord pursuant to section 72 of the Act.

The Landlord's agent ERL and the Tenant's advocates FY, ZL, and EML attended the hearing. They were each given a full opportunity to be heard, to present affirmed testimony, and to make submissions.

All attendees at the hearing were advised that the Residential Tenancy Branch Rules of Procedure prohibits unauthorized recordings of dispute resolution hearings. They confirmed that they were not recording this dispute resolution hearing.

### Preliminary Matter – Correction of Dispute Address

At the outset of the hearing, the Landlord's agent ERL provided the unit number for the rental unit. The dispute address for this application has been amended accordingly.

### Background and Evidence

The parties agreed as to the following particulars of the tenancy:

- The tenancy commenced on May 1, 2021 and is month-to-month.
- Rent is \$375.00 per month, due on the first day of each month.
- The Tenant paid a security deposit of \$187.50, which is held by the Landlord.

ERL testified that following an incident with the Tenant on January 25, 2022, the Landlord issued the One Month Notice to end the tenancy for cause. ERL confirmed that the One Month Notice, which had an effective date of February 28, 2022, was posted to the Tenant's door on January 26, 2022.

### Settlement

The parties explained that subsequent meetings took place in February 2022, which allowed the matter to be resolved by mutual agreement. ERL confirmed the Landlord agreed to cancel the One Month Notice.

### 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 order that the One Month Notice dated January 26, 2022, with an effective date of February 28, 2022, is cancelled and of no force or effect. The tenancy shall continue until ended in accordance with the Act and the parties' tenancy agreement.

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 18, 2022

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Residential Tenancy Branch