



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNC OLC FFT**

Introduction

This hearing was convened as a result of the Tenant's application for dispute resolution ("Application") under the *Residential Tenancy Act* ("Act"). The Tenant applied for:

- cancellation of a One Month Notice to End Tenancy for Cause dated April 28, 2022 ("1 Month Notice") pursuant to section 47;
- an order for the Landlords to comply with the Act, the *Residential Tenancy Regulations*, and/or tenancy agreement pursuant to section 62; and
- authorization to recover the filing fee for the Application from the Landlords pursuant to section 72.

The two Landlords ("LG" and "MG") and the Tenant attended the hearing. I explained the hearing process to the parties who did not have questions when asked. I told the parties they were not allowed to record the hearing pursuant to the *Residential Tenancy Branch Rules of Procedure* ("RoP"). The parties were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The Tenant stated she served each of the Landlords with the Notice of Dispute Resolution Proceeding and her evidence (collectively the "NDRP Package") by registered mail. The Tenant could not recall the Canada Post tracking numbers for service of the NDRP Packages on the Landlords but MG acknowledged the Landlords received the NDRP Packages. I find the NDRP Packages were served on each of the Landlords pursuant to the provisions of sections 88 and 89 of the Act.

MG stated the Landlords served the Tenant with their evidence by registered mail. MG could not recall the Canada Post tracking number for service of the Landlords' evidence but the Tenant acknowledged she received the Landlords' evidence. I find the

Landlords' evidence was served on the Tenant in accordance with the provisions of section 88 of the Act.

Settlement Agreement

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.

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

1. The Tenant agrees to withdraw the Application;
2. Subject to paragraph 3 of this settlement, the Tenant agrees she will not park her recreational vehicle on the residential property; and
3. The Landlords agree the Tenant may park her recreational vehicle on the residential property, in the same location as she has previously parked it, for no more than 2 days before and no more than 2 days after she uses the recreational vehicle for recreational purposes.

Conclusion

As the parties have reached a full and final settlement of all the claims set out in the Application, I make no factual findings about the merits of the Application.

To give effect to the settlement reached between the parties, I cancel the 1 Month Notice. The tenancy continues until ended in accordance with the provisions of the Act.

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 30, 2022

Residential Tenancy Branch