



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC, FF

Introduction

This hearing was convened as the result of the tenant's application for dispute resolution (application) seeking remedy under the Residential Tenancy Act (Act) for an order cancelling the One Month Notice to End Tenancy for Cause (Notice/1 Month Notice) issued by the landlord and recovery of the cost of the filing fee.

The tenant, two representatives/family members of the tenant, the tenant's advocate (advocate), and the landlord's representative (landlord) attended the hearing, and the hearing process was explained.

Before the testimony began, the advocate put forth a settlement offer to the landlord. The landlord agreed to the terms.

Mutual Settlement

The parties confirmed at the hearing that this agreement was made on a voluntary basis. To give effect to the settlement reached between the parties, I record the following terms, as follows:

1. Then tenancy will continue with conditions.
2. The tenant agrees they will not allow a former guest, MB, on the residential property or rental unit at any time in the future.
3. The tenant agrees that there will be no open flames of any kind anywhere in the rental unit, which includes, but is not limited to, smoking of any kind, smudging, and candles.

Conclusion

I order the parties to comply with the terms of their settled agreement.

As the parties resolved matters by agreement, I make no findings of fact or law with respect to the tenant's application or the 1 Month Notice. As I have not considered the merits of the application, I do not award the tenant recovery of the filing fee.

This settlement agreement was reached in accordance with section 63 of the Act. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement, or the Act, it is open to the other party to take steps under the Act to seek remedy.

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: April 14, 2023

Residential Tenancy Branch