



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, FF

### Introduction

This hearing was convened by way of conference call concerning an application made by the tenant for an order cancelling a notice to end the tenancy for cause, and to recover the filing fee from the landlord for the cost of the application.

The tenant and the landlord attended the hearing and both gave affirmed testimony.

At the conclusion of testimony the parties agreed to settle this dispute on the following terms:

1. The landlord will have an Order of Possession effective December 31, 2015 at 1:00 p.m. and the tenancy will end at that time;
2. The tenant will comply with the tenancy agreement by refraining from smoking anywhere on the rental property.

Since the parties have settled this dispute, I decline to order that the tenant recover the filling fee.

### Conclusion

For the reasons set out above, I hereby grant an Order of Possession effective December 31, 2015 at 1:00 p.m. and the tenancy will end at that time.

I hereby order the tenant to comply with the tenancy agreement by refraining from smoking anywhere on the property to the end of the tenancy.

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: October 30, 2015

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Residential Tenancy Branch

