



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC

Introduction

This hearing was convened in response to an application by the Tenant for orders cancelling two notices to end tenancy pursuant to section 46 and 47 of the *Residential Tenancy Act* (the “Act”).

Both Parties attended the conference call hearing. The Tenant confirms that its claim for a cancellation of a 10 day notice to end tenancy for unpaid rent was made in error and that the only claim is to cancel a one month notice to end tenancy for cause (the “Notice”). During the hearing the Parties reached a settlement agreement. 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.

Agreed Facts

The tenancy under written agreement started July 1, 2017. Rent of \$375.00 is payable on the first day of each month. On February 19, 2020 the Landlord served the Tenant with the Notice by posting the Notice on the door of the unit. The Landlord provides its housing to persons with mental health problems. The primary issue is that the Tenant has a mental health problem with hoarding and that the Landlord requires access to the unit to ensure compliance with fire safety regulations. The Landlord knows of no damage to the unit caused by the Tenant.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The Tenant will allow the Landlord entry to its unit for repairs and maintenance following receipt of written notices of entry for this purpose from the Landlord;**
- 2. The Tenant will pursue all avenues to obtain counseling and mental health services specific to its hoarding problem;**
- 3. The Landlord will provide mental health assistance and resources to the Tenant in relation to the hoarding problem;**
- 4. The Landlord withdraws the Notice;**
- 5. The tenancy will continue; and**
- 6. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the hearing, I find that the Parties have settled the dispute as recorded above. To give effect to this settlement agreement I cancel the Notice and order the Parties to act as agreed.

Conclusion

The dispute is settled, and the tenancy continues.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: May 05, 2020

Residential Tenancy Branch