



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: MNDC, OLC, RP, PSF, LRB, OPT, RR, O & FF

These applications were brought by adjacent tenants in this manufactured home park seeking remedies arising from an apparent reconfiguration or reinterpretation of the boundaries of their respective sites.

This matter was originally set for hearing on February 25, 2009 but was adjourned at the request of counsel for the landlord due to late service of the Notice of Hearing and evidence by the tenants.

When the hearing reconvened, the landlords' counsel advised that the applicants, residents of sites 78 and 79, had arrived at a settlement with the landlord and asked that the hearing continue under the provisions of section 56 of the *Act*, "Opportunity to settle dispute."

As that settlement did not impact the resident of site 76 who was attending as a witness, she was excused from the hearing at the request of the applicant tenants.

Consent Agreement

The parties then advised that they had resolved this dispute by their mutual agreement as follows:

1. The landlord will, within two weeks, remove one cedar tree at the west side of unit 78 to allow for vehicular access between the lot boundary and the manufactured home;
2. The western property line of site 78 will be moved approximately two meters inward to points agreed to by the parties and approximately represented on page 13 of the landlords' submission of March 18, 2009 ;
3. The landlord will contribute \$500 toward site 78 tenants' costs and sufficient gravel to complete the access way to the road (but not a parking area);
4. The tenants of site 78 are permitted to have four residents on the site;
5. The tenants of site 78 are authorized to construct fencing, to city bylaw standards, on both sides of the property;
6. The sewerage levy is not included in the rent and is to be paid by the tenants;
7. All other claims are dismissed.

The parties are commended for having crafted this consent agreement.

I find that the applicants should remain responsible for their own filing fees.

March 20, 2009

Dispute Resolution Officer