



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

### Dispute Codes:

CNC, MNDC, OLC, FF

### Introduction

This hearing was reconvened after the initial hearing held on July 22, 2010. The parties were provided time in an attempt to reach a mutual agreement. As that attempt was not successful, the hearing proceeded today.

Each participant was affirmed, evidence was reviewed and agreement reached on content.

### Preliminary Matters

The tenant submitted one late evidence document which was set aside, as per my instructions given in the interim decision, issued on July 23, 2010.

The landlord's witness entered the hearing and was dismissed by the landlord, as the parties were engaged in discussions to reach a mutual agreement.

### Mutual Settled Agreement

During the hearing the parties reached a mutual settled agreement as follows:

- The tenant (J.R.) has until 1 p.m. on February 28, 2011 to sell his manufactured home situated on the rented sited;
- The rental unit will remain vacant;
- The tenant will continue to pay monthly pad rental to the landlord in the sum of \$450.00 per month by the first day of each month;
- The tenant will complete some painting and other interior work, to prepare the home for sale and by September 23, 2010, at the latest, will allow the landlord (S.W.) to enter the trailer to confirm that this work has been completed;
- If the tenant fails to pay the pad rent as required each month or allows anyone to move into the home who is not the purchaser who has been approved of by the

landlord, through the assignment process, the landlord will proceed to obtain a Writ of possession;

- The tenant has agreed to withdraw his monetary claim seeking compensation for damage or loss under the Act in the sum of \$900.00;
- The landlord will ensure that the sewage vent on the tenant's site is cut to the lowest point technically allowed by plumbing regulations;
- That the landlord will be issued an Order of possession effective 1 p.m. on February 28, 2011; and
- That if the tenant fails to meet the terms of this agreement the landlord may proceed to obtain a Writ of possession based upon that breach.

This mutual agreement was carefully reviewed with the parties and both acknowledged the terms and agreed to the issuing of an Order of possession to the landlord as part of the mutual agreement.

I have made no findings and have issued this decision as a mutual agreement between the parties.

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, 2010.

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Dispute Resolution Officer