

Decision

Dispute Codes: MT, CNC

Introduction

This hearing dealt with an application by the tenant for more time to make an application to cancel a notice to end tenancy / and cancellation of a 1 month notice to end tenancy for cause. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the tenant is entitled to the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, a copy of which is not in evidence, the month-to-month tenancy began between three and four years ago. Currently, rent in the amount of \$241.00 is payable in advance on the first day of each month.

Arising from miscellaneous concerns about the tenancy, the landlord issued a 1 month notice to end tenancy for cause. The parties agree that the notice was served on July 25, 2010. Subsequently, the tenant applied to dispute the notice by filing an application for dispute resolution on August 4, 2010. As the tenant's application was made within 10 days of his receipt of the notice, he is not required to apply for more time to make an application to cancel the notice.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

Section 56 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the tenant will vacate the manufactured home park by no later than 1:00 p.m., Friday, December 31, 2010, and that an order of possession will be issued in favour of the landlord to that effect;
- that the above particulars comprise full and final settlement of all aspects of the dispute for both parties which arise out of this tenancy, and which are presently before me.

Conclusion

Pursuant to all of the above, I hereby issue an order of possession in favour of the landlord effective not later than 1:00 p.m., Friday, December 31, 2010. This order must be served on the tenant. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

DATE: September 22, 2010

Dispute Resolution Officer