



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by the landlord's agent and the tenant.

The original hearing was held on September 2, 2010 at which time the tenant was working out some details regarding a repayment agreement for the landlord. Both parties agreed to an adjournment until today's date in an effort to work out a settlement agreement.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to sections 39, 48, 60 and 65 of the *Manufactured Home Park Tenancy Act (Act)*.

Background and Evidence

During the reconvened hearing the parties came to the following settlement agreement:

1. The landlord agrees to withdraw this Application for Dispute Resolution;
2. The tenant agrees to pay to the landlord the rent in the amount outlined in the tenancy agreement and any valid notices of rent increase that have been issued during the tenancy on the day that it is due according to the tenancy agreement (1st of each month);
3. The parties acknowledge the outstanding rental arrears are \$6,530.50;
4. The tenant agrees to pay a minimum of \$300.00 per month to be credited towards the noted amount of arrears no later than the 15th of each month until such time as the arrears are extinguished;
5. The parties agree the landlord is entitled to an order of possession to be executed only should the tenant fail to comply with this settlement agreement;

6. The parties agree the landlord is entitled to a monetary order to be executed only should the tenant fail to comply with this settlement agreement for any outstanding balance remaining up to a maximum of \$6,530.50.

Conclusion

In support of this settlement agreement I grant an order of possession effective **two days after service on the tenant**, in accordance with this settlement agreement. This order must be served on the tenant and may be filed in the Supreme Court and enforced as an order of that Court.

In support of this settlement agreement I grant a monetary order in the amount of **\$6,530.50**, in accordance with this settlement agreement. This order must be served on the tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

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

Dated: September 16, 2010.

Dispute Resolution Officer