



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

### Dispute Codes:

OPR, MNR, FF

### Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, and to recover the filing fee from the Tenant for the cost of this Application for Dispute Resolution.

Both parties were represented at the hearing.

### Issue(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 48, 60, and 65 of the *Manufactured Home Park Tenancy Act (Act)*.

### Background and Evidence

The Agent for the Landlord and the Tenant agreed that this tenancy began approximately four years ago; that on September 01, 2010 the rent was \$490.74 per month and that rent is due on the first day of each month.

The Agent for the Landlord stated that on October 01, 2010 rent increased to \$516.00. The Tenant stated that she believed the rent increased to \$506.00 on October 01, 2010. The Agent for the Landlord stated that he is not certain of the amount of the rent increase and he stated that the Tenant may be accurate when she states the rent was increased to \$506.00.

The Agent for the Landlord stated that rent has not been paid for September, October, or November of 2010. The Tenant stated that she paid her rent for September and she has a receipt for that payment, although it was not submitted in evidence. The Tenant agreed that she has not paid rent for October or November of 2010.

After considerable discussion the Agent for the Landlord and the Tenant mutually agreed to resolve this dispute under the following terms:

- The Landlord will withdraw the Notice to End Tenancy that is the subject of this dispute
- The tenancy will continue until it is ended in accordance with the *Act*
- The Landlord will be given a monetary Order in the amount of \$1,502.74, which represents a rent payment for September of 2010 in the amount of \$490.74, a rent payment for October of 2010 in the amount of \$506.00; and a rent payment for November of 2010 in the amount of \$506.00
- The Landlord will reduce the monetary Order by \$490.74 if the Tenant provides the Landlord with proof that she paid her rent for September of 2010, in the amount of \$490.74.

### Conclusion

On the basis of the mutual agreement reached at the hearing, I grant the Landlord a monetary Order in the amount of \$1,502.74. The parties mutually agree that this monetary Order will be reduced by \$490.74 if the Tenant provides the Landlord with proof that she paid her rent for September of 2010, in the amount of \$490.74.

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: October 29, 2010.

---

Dispute Resolution Officer