



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **SETTLED DECISION**

Dispute Codes      OPC

### Introduction

This hearing dealt with the landlord's application for dispute resolution under the *Manufactured Home Park Tenancy Act (the "Act")* seeking an order of possession for the manufactured home pad site.

The parties appeared, the hearing process was explained and they were given an opportunity to ask questions about the hearing process.

After confirming with the landlord that the Notice of Hearing and Application package and 1 Month Notice to End Tenancy for Cause were delivered as required under the Act, each party submitted some of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

### Issue(s) to be Decided

Will the landlord be issued an order of possession?

Can the parties reach a mutual agreement to resolve this dispute?

### Settled Agreement

The tenant and the landlord agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenant agrees that she will take immediate steps to remove the person, known to the parties only by her first name, and all other occupants currently residing in her manufactured home, who was the stated cause of the landlord issuing a 1 Month Notice to End Tenancy for Cause;
2. The tenant understands the landlord will be issued an order of possession for the manufactured home pad site, based upon the settled agreement, and that if the tenant fails to have the person and all other occupants residing in her home removed on or before November 15, 2012, at 1:00 p.m., the landlord may serve the order of possession on the tenant and obtain a writ of possession for the pad site;

3. The landlord agrees not to serve the order of possession on the tenant and that the tenancy may continue unless the tenant fails to have the person and all other occupants residing in her home removed on or before November 15, 2012, at 1:00 p.m.; and
4. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the landlord's application and that no finding is made on the merits of the said application for dispute resolution.

### Conclusion

The landlord and tenant have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit in the event the tenant fails to have the person and all other occupants residing in her home removed by November 15, 2012 at 1:00 p.m.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

This settled agreement 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* (the "Act") and is being mailed to both the applicant and the respondent.

Dated: October 25, 2012.

---

Residential Tenancy Branch