



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Spiral Manufactured Home Park
and [tenant name suppressed to protect privacy]

DECISION

and

Record of Settlement

Dispute Codes:

MNR, MNDC, OPR, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Manufactured Home Park Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 48;
2. A Monetary Order for unpaid rent - Section 60;
3. An Order to recover the filing fee for this application - Section 65.

During the course of the hearing the parties discussed their issues in dispute and confirmed they agreed to settle all issues in dispute related to the tenancy to the full satisfaction of both parties, and the respective claim of the landlord, and that I record their settlement as per Section 56 of the *Manufactured Home Park Tenancy Act* as follows:

1. Both parties agree they have a signed tenancy agreement as submitted by the landlord establishing a monthly payable pad rent of \$510.00 per month, \$25.00 per month fee for late rent, and \$25.00 fee for NSF payments.
2. Both parties agree the tenant owes rent for April 2012 through to April 2013 - except for the payable rent for June 2012 (\$510.00) which the landlord submits was satisfied.
3. Both parties agree the tenant owes monthly fees for late rent for April 2012 through to April 2013.
4. Both parties agree the tenant owes the landlord \$25.00 NSF charge incurred in 2012.
5. Both parties agree the tenant will pay the landlord all arrears of rent and all allowable charges under the tenancy agreement in the amount of **\$6470.00** on or before **April 26, 2013**; and, that the landlord will receive a **Monetary Order** for the same amount which, if necessary, is enforceable in BC Small Claims Court.

6. Both parties agree that if the tenant does not satisfy the agreed amount by the agreed date, the landlord will serve the tenant with an **Order of Possession effective May 31, 2013**, and the tenancy will end in accordance with that Order.
7. Both parties acknowledge that if the tenant complies with the effective terms of this settlement agreement the Order of Possession and the Monetary Order are rendered null and void and of no effect and the tenancy will continue in full force thereafter in accordance with the effective tenancy agreement.

Conclusion

I grant an Order of Possession to the landlord **effective May 31, 2013**. The tenant must be served with this Order of Possession. 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.

Calculation for Monetary Order

Applicable arrears in rent – April 2012 through April 2013 (12 months only x \$510.00)	\$6120.00
Late rent fee X 13 months	325.00
NSF fee X 1 month	25.00
Total Monetary Award to landlord	\$6470.00

As the parties agreed to settle their dispute, I decline to grant the landlord their filing fee.

I grant the landlord a Monetary Order under Section 60 of the Act for the amount of **\$6470.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision and Settlement is final and binding on both 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 Manufactured Home Park Tenancy Act.

Dated: April 04, 2013

Residential Tenancy Branch