



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, OLC, FF

Introduction

This hearing dealt with an application by the tenant, pursuant to the *Manufactured Home Park Tenancy Act*. The landlord served the tenant with a one month notice to end tenancy for cause. The tenant applied for an order to set aside the notice to end tenancy, an order for the landlord to comply with the *Act* and for a monetary order to recover the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Does the landlord have cause to end the tenancy? Is the tenant entitled to the filing fee?

Background and Evidence

The tenancy started on or about June 2008. The monthly rent is \$140.00 payable on the first of the month. In January 2013, the landlord received a letter from the regional district, informing her that the tenant was in violation of building regulations bylaws. The tenant agreed that she was. On March 04, 2013, the landlord served the tenant with a notice to end tenancy for cause. The tenant disputed the notice in a timely manner.

The tenant stated that upon receiving the notice and prior to the hearing, the building structures that were in violation of the local bylaws were demolished. The landlord agreed that at the time of the hearing, the tenant was no longer in violation and accordingly agreed to cancel the notice to end tenancy.

The tenant also stated that the landlord was in compliance with the *Act* and therefore she withdrew her application for an order directing the landlord to comply with the *Act*.

Analysis

Pursuant to Section 56 of the *Manufactured home Park Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties confirmed that they had reached an agreement to settle these matters. The landlord agreed to cancel the notice to end tenancy and allow the tenancy to continue. The tenant withdrew the balance of her application.

Conclusion

The landlord's notice to end tenancy dated March 04, 2013 is set aside and is of no effect. The tenancy will continue as per the terms of the tenancy agreement.

As the parties were able to settle the matter, I decline to award the tenant the recovery of the filing fee for the cost of this application. As no further action is required on this file, this file is closed.

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 09, 2013

Residential Tenancy Branch

