



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION ON REQUEST FOR CLARIFICATION

Dispute Codes: FF MNDC O OLC RP RR

Section 71 of the Manufactured Home Park Tenancy Act enables the Residential Tenancy Branch to clarify a decision or order.

The Tenant has requested a clarification of the Residential Tenancy Branch Decision dated May 14, 2013. The Tenant submits that the main reason for making the application for dispute resolution was in relation to the Landlord's fair application of the rules and that somehow this dispute was subverted to a parking issue.

A review of the file materials indicates that the Tenant had issues with the tenants in the unit next door to them. These issues included noise levels, obstruction of view and parking practices or habits by the next door tenants. I also recall that the Tenant had issues with whether or not the unit next to them was sublet according to the Landlord's rules.

The Decision contains a settlement agreement. I note that the settlement agreement is not solely in relation to parking but includes an agreement for the Landlord to address the sublet of the next door unit. As I am not privy to what was in the minds of the Parties when they reached their agreement to settle the dispute in the manner that they did, I cannot provide any further clarification on how the settlement agreement met the Tenant's concerns. My practice in putting a settlement agreement into the body of a decision is to carefully review the terms of the settlement with the Parties, to obtain their clear agreement on the terms and to advise the Parties that their agreement will settle all issues in the dispute. This practice was followed for the Decision dated May 14, 2013.

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: June 4, 2013

Residential Tenancy Branch