



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding KEJO HOMES LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      FF, O

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Tenant for ‘Other’ issues relating to a dispute about a request by the Landlord to remove one of the Tenant’s vehicles from the manufactured home park. The Tenant also applied to recover the filing fee for the cost of making the Application.

The Tenant appeared for the hearing with an advocate to assist him with his disability. The Landlord and the manufactured home park owner appeared for the hearing. Both parties provided affirmed testimony during the hearing and documentary evidence in advance of the hearing. No issues in relation to the service of the hearing documents under the *Manufactured Home Park Tenancy Act* (the “Act”), and evidence under the Rules of Procedure were raised by any of the parties.

The Tenant was disputing a written breach notice, served by the Landlord to the Tenant, asking for one of his vehicles (referred to as the “Ford truck”) to be removed within two weeks as it was unlicensed. The Tenant stated that he was going to remove the Ford truck as he legally could not drive and had another vehicle which was used by other drivers for the Tenant’s transportation needs. However, the Tenant needed more time as he was dealing with the serious illness of his partner.

### Analysis & Conclusion

Pursuant to section 56 of the Act, the Arbitrator may assist the parties to settle the dispute and if the parties settle the dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of the

dispute. Both parties agreed to settle the Tenant's application in full under the following terms.

- The Tenant agreed to remove the Ford truck from the manufactured home park by May 17, 2014.
- The Tenant agreed to facilitate any street sweeping/cleaning in the interim time by removing the vehicle for this purpose to allow for sweeping/cleaning to take place.

If the Tenant fails to comply with the above conditions, the Landlord is at liberty to issue the Tenant with a notice to end tenancy under section 40 of the Act. If the Tenant disputes such a notice under section 40 of the Act, the Landlord is required to present evidence in relation to the cause during dispute resolution proceedings.

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: March 17, 2014

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Residential Tenancy Branch

