



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SOUTH SHORE PARK
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC

Introduction

This hearing was convened in relation to the landlords' application for an order of possession for cause.

Both tenants and the landlords appeared. The landlords' agent also attended the hearing.

This tenancy was the subject of an earlier application by the tenants. At the previous hearing the arbitrator dismissed the tenants' application to cancel the notice for cause.

At this hearing, the landlords and tenants were able to agree to a mutual end to this tenancy.

Analysis

Pursuant to section 56 of the *Manufactured Home Park Tenancy Act* (the Act), an arbitrator may assist the parties to 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 the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlords agreed to withdraw their application.
2. The tenants agreed to provide possession of the manufactured home site to the landlords on or before one o'clock in the afternoon on 31 March 2015.

3. The tenants agreed that the landlords could cash their rent cheques for December and January as well as February and March (when they are due) and that the landlords' acceptance of payment would not reinstate the tenancy.

The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

The landlords' application is withdrawn.

The attached order of possession is to be used by the landlords if the tenant(s) does not vacate the manufactured home site in accordance with their agreement. The landlords are provided with this order in the above terms and the landlords should serve the tenant(s) with this order so that it may enforce it in the event that the tenant(s) does not vacate the manufactured home site by the time and date set out in their agreement. Should the tenant(s) fail to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: January 16, 2015

Residential Tenancy Branch

