



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding COQUITLAM HIDEAWAY LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR MNR FF

Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Manufactured Home Park Tenancy Act* (the "*Act*"). The landlord applied for an order of possession for unpaid rent or utilities, for a monetary order for \$3,350 in unpaid rent, and to recover the cost of the filing fee.

The tenant and two agents for the landlord (the "agents") attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The tenant confirmed that she received the landlord's documentary evidence and that she had the opportunity to review that evidence prior to the hearing. The tenant confirmed that she did not submit any documentary evidence in response to the landlord's application. I find the tenant was sufficiently served in accordance with the *Act*.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The tenant agrees that \$3,400 is owing to the landlord, comprised of \$3,350 in unpaid rent and the \$50 filing fee.
2. The tenant agrees to pay \$200 per month towards the \$3,400 described in #1 above, in addition to monthly rent currently at \$466 per month, on the 1st day of each month commencing on **August 1, 2015**.
3. The landlord is granted a monetary order pursuant to section 60 of the *Act* in the amount of **\$3,400, which will be of no force or effect if the amount owing is paid**

in accordance with #2 above until fully paid and that all payments are successfully cashed by the landlord.

4. The landlord is granted a **conditional** order of possession effective **fifteen (15) days** after service on the tenant. This order of possession will be of no force or effect if the tenant pays the landlord as per #2 above.
5. The tenant agrees to provide the landlord with post-dated cheques by July 31, 2015.
6. The landlord withdraws their application in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 56 of the *Manufactured Home Park Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement.

The landlord has been granted a condition order of possession. Should the landlord require enforcement of the order of possession, the landlord must first serve the tenant with the order of possession. This order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The landlord has been granted a monetary order in the amount of \$3,400, which will be of no force or effect if the amount owing has been paid in accordance with #2 above. Should the landlord require enforcement of the monetary order, the order must be served on the tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: July 22, 2015

Residential Tenancy Branch

