



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDC, OLC, PSF, OPT, AAT, LAT, RR

Introduction

This hearing dealt with the tenant's application pursuant to the *Manufactured Home Park Tenancy Act* ("Act") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated January 16, 2018 ("10 Day Notice"), pursuant to section 39;
- a monetary order for compensation for damage or loss under the *Act*, *Manufactured Home Park Tenancy Regulation* ("Regulation") or tenancy agreement, pursuant to section 60;
- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement, pursuant to section 55;
- an order requiring the landlord to provide services or facilities required by law, pursuant to section 58;
- an Order of Possession of the manufactured home site, pursuant to section 47;
- an order to allow access to or from the rental unit or site for the tenant or the tenant's guests, pursuant to section 55;
- authorization to change the locks to the rental unit, pursuant to section 55;
- an order to allow the tenant to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 58.

Both parties attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. This hearing lasted approximately 44 minutes in order to allow both parties to negotiate a full settlement of this application and any issues arising out of this tenancy.

The landlord confirmed receipt of the tenant's application for dispute resolution hearing package. In accordance with sections 82 and 83 of the *Act*, I find that the landlord was duly served with the tenant's application.

Pursuant to section 57(3)(c) of the *Act*, I amend the tenant's application to reverse the order of the landlord's first and surnames, as they were listed incorrectly on the tenant's application. The landlord consented to this amendment during the hearing.

Settlement

Pursuant to section 56 of the *Act*, the 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 and an order. During the hearing, the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute and any issues arising out of this tenancy.

Both parties agreed to the following final and binding settlement of all issues arising out of this tenancy:

1. Both parties agreed that the tenant will remove the manufactured home (trailer) from the manufactured home site by 1:00 p.m. on April 15, 2018;
2. The tenant agreed that this settlement agreement constitutes a final and binding resolution of his application;
3. Both parties agreed that they will not initiate any future claims or applications against each other at the Residential Tenancy Branch, with respect to any issues arising out of this tenancy.

These particulars comprise the full and final settlement of all aspects of this dispute and arising out of this tenancy.

Both parties affirmed at the hearing that they understood and agreed to the above terms, free of any duress or coercion.

Both parties affirmed that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute and arising out of this tenancy.

Conclusion

To give effect to the settlement reached between the parties and as advised to both parties during the hearing, I issue the attached Order of Possession to be used by the

landlord **only** if the tenant and any other occupants fail to vacate the manufactured home site by 1:00 p.m. on April 15, 2018. The tenant must be served with this Order in the event that the tenant and any other occupants fail to vacate manufactured home site by 1:00 p.m. on April 15, 2018. Should the tenant 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 *Manufactured Home Park Tenancy Act*.

Dated: March 20, 2018

Residential Tenancy Branch