



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION AND RECORD OF SETTLEMENT**

### **Dispute Codes**

CNC FF

### **Introduction**

The tenant's application under the *Manufactured Home Park Tenancy Act* (the Act) sought to cancel the landlord's Notice to End for Cause and recover the filing fee.

Both parties were represented in this proceeding. The landlord's representative and the tenant attended the hearing. Both parties confirmed the issue regarding the landlord's 1 Month Notice to End for Cause dated March 29, 2018.

### **Background and Evidence**

The tenant was issued a 1 Month Notice to End for cause for the stated reason that the tenant breached a material term of the tenancy agreement not corrected within a reasonable time after written notice to do so.

**Section 56** of the *Manufactured Home Park Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, some discussion between the parties led to resolution of the relevant matters. As a result the parties confirmed to me that they both agreed as follows;

1. the landlord agrees to withdraw the Notice to End of this matter in favour of the following.
2. the parties agree that within **7 to 10 days** of the date of this Decision and Settlement the landlord will provide to the tenant **a list which specifically states** those items to which the tenant must attend so as to render the home site *reasonably tidy* with a view to removing or reducing vegetation on the home site or to address *safety* of the home park.

*It cannot be stressed that the landlord's list must be reasonable and with consideration to the rights of the tenant.*

**3.** The tenant agrees that within **60 days** following receipt of the landlord's list per condition **2** they will **attend to and fulfill the landlord's list**.

**4.** the parties agree that following the items stated above if the home site remains unacceptable to the landlord it is available to the landlord to issue the tenant **a new valid notice to end which must be for sufficient cause**.

Both parties testified in the hearing confirming to me that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of this dispute.

As the parties mutually resolved their dispute I decline to grant the tenant their filing fee.

### **Conclusion**

The parties settled their dispute in the above terms.

**This Decision and Settlement are final and binding.**

*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: June 13, 2018

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Residential Tenancy Branch