



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PARKBRIDGE LIFESTYLE COMMUNITIES INC.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, FFT

Introduction

This decision pertains to the Tenants' application for dispute resolution made on May 22, 2018, under the *Manufactured Home Park Tenancy Act* (the "Act"). The Tenants sought to cancel a One Month Notice to End Tenancy for Cause and a monetary order for recovery of the filing fee.

The Landlord's agent and Tenant J.T. attended the hearing before me, were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. No issues of service were raised by the parties.

Settlement Agreement

Immediately after I affirmed the parties, they notified me that they had reached a settlement over the Canada Day long weekend.

Section 56 of the Act permits me to offer the parties an opportunity to settle their dispute, and where the parties settle their dispute during dispute resolution proceedings, the arbitrator may record the settlement in the form of a decision or an order.

The parties hereby agreed to settle this matter as follows. The parties agree that

1. the rental unit shall remain empty and be up for sale;
2. the rental unit shall not be occupied until a pending sale;
3. the pad rent continues to be payable on the first of each month;
4. the pad rent is for use and occupancy only, and does not reinstate the tenancy;
5. the Tenant J.N. may not reside in the rental unit or enter the manufactured home park without the Landlord's permission;

6. the person D.N. may not reside in the rental unit or enter the manufactured home park without the Landlord's permission; and,
7. the Landlord is entitled to an order of possession effective July 31, 2018.

The parties confirmed during, and at the end of the hearing, that this settlement agreement was made voluntarily.

As the outcome was achieved through negotiation, I decline to award recovery of the filing fee to the Tenants.

Conclusion

I order the parties to comply with the terms of the settlement agreement as set out above.

In support of this settlement agreement, I grant the Landlord an order of possession effective July 31, 2018, and which must be served on the Tenants no later than June 29, 2018. Should the Tenants fail to comply with any of the above terms of the settlement agreement the Landlord is entitled to immediate possession of the rental unit.

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: July 4, 2018

Residential Tenancy Branch