



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LAKESIDE MOBILE HOME PARK
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ERP, RP, RR

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Manufactured Home Park Tenancy Act* (the “Act”) for:

- An order for repairs or emergency repairs pursuant to section 27; and
- An order for rent reduction pursuant to section 21.

Both parties were represented and were each given full opportunity under oath to be heard, to present evidence and to make submissions. The corporate landlord was represented by its agent. The tenant was assisted by their advocate.

As both parties were present service of documents was confirmed. The landlord confirmed receipt of the tenant’s application for dispute resolution and evidence and said they had not served any materials. Based on the undisputed evidence I find that the landlord was served in accordance with sections 81 and 82 of the *Act*.

Analysis

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 or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

- 1. The Landlord will make final repairs to the sewage system no later than September 21, 2018.**
- 2. As evidence of completion of repairs the Landlord will provide to the Tenant a written letter from the contractor attesting to the repairs performed as well as any video available.**
- 3. The Tenant is authorized to withhold their monthly rent of \$354.00 payable on the first of each month until such time as the Landlord provides the evidence of completion of repairs as provided above.**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

The application is settled on the terms of the agreement as set out above.

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: September 14, 2018

Residential Tenancy Branch