



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SEABREEZE M.H. PARK
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

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

- Cancellation of One Month Notice to End Tenancy for Cause ("One Month Notice") under Section 40 of the *Act*.

The landlord's agent HC attended the hearing ("the landlord"). The tenant attended. Both parties were given a full opportunity to be heard, to present their affirmed testimony and to make submissions. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 55 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

The Parties mutually agreed as follows:

- The month-to-month tenancy between the parties continues pursuant to the terms of the tenancy agreement dated November 28, 2014;
- The tenant acknowledged receipt of several notices in writing from the landlord requiring the tenant to clean up the exterior of the unit, to remove rubbish, to properly store items, and to carry out routine landscaping on the site such as removal of leaves;

- The parties agree that on January 29, 2019, the day of the hearing, the site is clean and orderly to the satisfaction of the landlord;
- The tenant agrees to keep the site clean and orderly to the satisfaction of the landlord as per the condition on January 29, 2019 for a period of one year;
- The parties agree that failure by the tenant to comply with the immediately preceding section for a period of one year will constitute breach of a material term as a result of which the landlord will issue a One Month Notice for breach of a material term and apply for an order of possession;
- The landlord withdraws the One Month Notice dated December 11, 2018.

These terms comprise the full and final settlement of all aspects of this application for the parties.

The parties are still bound by all the rights, responsibilities, terms and conditions of the tenancy agreement, the *Act*, and the associated regulations.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this dispute.

Conclusion

The tenant's application is dismissed without leave to reapply pursuant to the terms of the above settlement.

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: January 29, 2019

Residential Tenancy Branch