



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Lombardy Management Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

OPR MNR MNSD FF

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. A hearing by telephone conference was held on March 19, 2019. The Landlord applied for multiple remedies, pursuant to the *Manufactured Home Park Tenancy Act* (the *Act*).

Both parties attended the hearing and provided testimony. Each person was provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Settlement Agreement

During the hearing, the Landlord agreed to withdraw their application in pursuit of the following settlement agreement.

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.

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 Tenant will pay the Landlord \$1,545.00 immediately after the hearing. This amount is to pay off the outstanding rent, and to pre-pay for the month of April 2018.
- If the Tenant fails to honour the above payment arrangement, then the Landlord is entitled to enforce the monetary order issued in this hearing.

- If the Landlord needs to enforce the monetary order due to failure to adhere to the above payment arrangements, she agrees to account for, and deduct any payments the Tenant made up until that point from the total amount listed in this decision.
- Regardless of the above payment arrangement, the tenancy will formally end on April 30, 2019.
- An order of possession will be issued to the Landlord for this date.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter. Parties are encouraged to try to work together on any remaining issues.

In support of the above agreement, I will issue an order of possession to reflect the end of the tenancy, April 30, 2019.

I will also issue a conditional monetary order, whereby the Landlord can serve and enforce the order if the Tenant fails to meet the payment arrangements listed above.

Conclusion

In support of the agreement described above, the Landlord is granted an order of possession effective **April 30, 2019**, at 1:00 p.m. This order must be served on the Tenant. If the Tenant fails to comply with this order the Landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

The Landlord is granted a monetary order pursuant to Section 55 in the amount of **\$1,545.00**. This order must be served on the Tenant. If the Tenant fails to comply with this order the Landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

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 21, 2019

Residential Tenancy Branch