



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ALOHA MANUFACTURE HOME AND R.V. PARK
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MT, CNL, MNDC, OLC, FF

Introduction

This hearing dealt with an application by the tenant, pursuant to the *Manufactured Home Park Tenancy Act*. The tenant applied to cancel a notice to end tenancy and for a monetary order for loss under the *Act* and the filing fee.

Both parties attended this hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The tenants represented themselves and were accompanied by their legal counsel. The landlord was represented by their agent and legal counsel.

As both parties were in attendance, I confirmed service of documents. The parties confirmed receipt of each other's evidence. I find that the parties were served with evidentiary materials in accordance with sections 88 and 89 of the *Act*.

At the start of the hearing, the tenant informed me that he had moved out on June 11, 2019 and was only seeking the monetary portion of his claim. The landlord raised the issue of jurisdiction which was not fully heard by me as during the discussion, the parties came to an agreement to resolve their dispute.

Analysis

Pursuant to Section 56 of the *Manufactured home Park Tenancy Act*, the Arbitrator may assist the parties 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 this hearing, the parties confirmed that they had reached an agreement to settle these matters on the following terms:

1. The landlord agreed to pay the tenant \$1,000.00 in full and final settlement of all claims against the tenant.
2. The landlord agreed to make this payment available for pick up by the tenant at his office no later than August 05, 2019.
3. The tenant agreed to accept \$1,000.00 in full and final settlement of all claims against the landlord.
4. The parties stated that that they understood and agreed that the above are final and binding.

The tenant and the landlord have reached a settled agreement, as recorded above. This settlement agreement was reached in accordance with Section 56 of the *Manufactured home Park Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the *Act*. Should either party violate the terms of this settled agreement, the tenancy agreement or the *Act*, it is open to the other party to take steps under the *Act* to seek remedy.

Conclusion

The landlord will provide the tenant with a payment of \$1,000.00.

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: July 19, 2019

Residential Tenancy Branch