



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Landlord: OPB, MNDL, MNRL, FFL
Tenant: RP, PSF, LRE

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A hearing by telephone conference was held on June 2, 2020. The Tenant 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 explained that he has an upcoming hearing on June 15, 2020 (file number listed above). Both parties agreed to settle all issues relating to the Tenant's current application, as well as the Landlord's application set to be heard on June 15, 2020, as part of this proceeding. I hereby order these two files be crossed and heard together, as part of today's hearing, with the consent of all parties.

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:

- Both parties agree to withdraw their applications, in full.
- The Tenant will pay the Landlord \$400.00 immediately after the hearing (no later than by the end of the day on June 3, 2020) for May and June rent.
- The Tenant will pay the Landlord \$200.00 per month, on the first of the month, starting in July, until the tenancy ends at the end of September 2020.
- The \$200.00 paid each month by the Tenant is only for the space to park his trailer, and it does not include any utilities.
- Regardless of any of the above terms, the tenancy will end no later than September 30, 2020, at 1pm, and the Tenant will vacate the premises by that time. The Landlord will be given an order of possession to reflect this date.
- Should the Tenant fail to pay the above amounts, as agreed upon, the Landlord may serve and enforce a separate order of possession, for failure to pay as agreed. This second order of possession will be effective 2 days after it is served, and may only be enforced if the Tenant does not pay the above amounts on time.

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 all matters on both applications. 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, September 30, 2020, at 1pm.

I will also issue a conditional order of possession, effective two days after service on the Tenant, 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 **September 30, 2020**, 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.

Subject to my written decision above, the Landlord is also granted an order of possession effective **two days after service** on the Tenant, should he fail to adhere to the payment arrangements laid out above. 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.

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: June 02, 2020

Residential Tenancy Branch