



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Spruce Capital Trailer 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 cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 40.

The tenant, the tenant's advocate and the manager attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The landlord called witness M.C.

Both parties agree that the tenant served the landlord with her application for dispute resolution in person on August 23, 2020. I find that the landlord was served in accordance with section 82 of the *Act*.

The tenant's application for dispute resolution originally listed herself and her husband D.C. as tenants. Only the tenant is named as a tenant on the tenancy agreement. The tenant testified that D.C. has moved out because they have separated, and the marriage is over. Pursuant to section 64 of the *Act*, I amend the tenant's application for dispute resolution to only list tenant E.C.

Issue to be Decided

Is the tenant entitled to cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 40 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, engaged in a conversation, 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:

1. The landlord agrees to cancel the One Month Notice to End Tenancy for Cause dated August 8, 2020.
2. The tenant agrees that her husband, D.C., is not permitted at the subject rental park.
3. This tenancy will continue in accordance with the *Act*.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final and binding, which settle all aspects of this dispute.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 02, 2020

Residential Tenancy Branch