



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL OLC AAT FFT

Introduction

This hearing was convened as a result of the tenant's Application for Dispute Resolution (application) seeking remedy under the *Manufactured Home Park Tenancy Act* (the Act). The tenant applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property (2 Month Notice), for an order directing the landlord to comply with the Act, regulation or tenancy agreement, for an order directing the landlord to allow access to the unit, site or property and to recover the cost of the filing fee.

The tenant and the landlord attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Neither party raised any concerns regarding the service of documentary evidence and as a result, I find the parties were sufficiently served in accordance with the Act.

Preliminary and Procedural Matter

The landlord confirmed their email address at the outset of the hearing and stated that they understood that the decision and any applicable orders would be emailed to them. As the tenant did not have an email address, the decision will be emailed to the tenant.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The parties agree that the tenancy shall end no later than **March 31, 2021 at 1:00 p.m.**
2. The landlord is granted an order of possession effective March 31, 2021 at 1:00 p.m.
3. The parties agree to withdraw the application in full and the 2 Month Notice in full as part of this mutually settled agreement.
4. The tenant agrees to have the following items removed by **November 30, 2020 at 1:00 p.m.:**
 - A. Boat and trailer
 - B. Horse trailer
 - C. Van
 - D. Uninsured Tracker
 - E. Lumber pile
 - F. Utility trailer with quad
 - G. Motorcycle
 - H. Tires
 - I. Engine parts
 - J. Junk/scrap metal
5. Rent will continue to be due in accordance with the tenancy agreement.

This settlement agreement was reached in accordance with section 56 of the *Manufactured Home Park Tenancy Act*. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

I do not grant the filing fee as this matter was not resolved until the hearing.

Conclusion

This matter was resolved by way of a mutually settled agreement under the Act.

I ORDER the parties to comply with the mutually settled agreement described above pursuant to section 56 of the Act.

The tenancy shall end no later than March 31, 2021 at 1:00 p.m. The landlord has been granted an order of possession for that date and time, which must be served on the tenant. Should the landlord require enforcement of the order of possession, the landlord must first serve the tenant with the order of possession. This order may be filed in the

Supreme Court of British Columbia and enforced as an order of that Court. The tenant may be responsible for costs associated with enforcing the order of possession.

This decision will be emailed to the landlord and sent by regular mail to the tenant. The order of possession will be emailed to the landlord only for service on the tenant.

I do not grant the filing fee as this matter was not resolved until the hearing.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: October 1, 2020

Residential Tenancy Branch