



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

The landlord filed an Application for Dispute Resolution on December 5, 2020 seeking an order for an urgent termination of the tenancy. The matter proceeded by way of a conference call hearing pursuant to section 67(2) of the *Manufactured Home Park Tenancy Act* (the “Act”) on January 7, 2021. In the conference call hearing I explained the process and provided both parties in attendance the opportunity to ask questions.

The landlord stated they served notice of this hearing to the tenant, with their evidence following later when served in person. The third party who delivered the evidence material to the tenant provided their signature on a ‘Proof of Service’ document to attest to this. The tenant confirmed their receipt of the landlord’s prepared evidence.

Settlement Terms

Pursuant to section 56 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle during the proceedings, the decision may be recorded in the form of a decision and any necessary order. During the hearing, the parties each informed the other of their position on the imminent end to the tenancy. Given the information provided by the tenant in the hearing, the parties achieved a resolution of their dispute.

Both parties agreed to the final and binding settlement of all issues currently under dispute at this time:

- Both parties agreed that this tenancy will end by 1:00 p.m. on January 31, 2021 by which time the tenant and any other occupants will have vacated the rental unit;
- The parties agreed that there will be communication prior to the end of tenancy to arrange for a return of the key for the rental unit;
- The parties will meet on January 31, 2021 for a final move-out inspection meeting – this should provide an opportunity for the return of the key;

- The landlord agreed that this settlement agreement constitutes a final and binding resolution of their Application at this hearing.

These details comprise the full and final settlement of all aspects of this dispute for both parties. Both parties understood and affirmed at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties affirmed that they understood and agreed that the terms are legal, final, binding and enforceable, which settles all aspects of this dispute.

Conclusion

The landlord and the tenant have reached an agreement in this matter. This is in accordance with section 56 of the *Act*.

Based on the agreement, I provide the landlord with an Order of Possession for the rental unit in the event the tenant fails to vacate the rental unit by January 31, 2021 at 1 p.m. Should the tenant fail to comply with the Order, it may be filed and enforced as an Order of the Supreme Court of British Columbia.

The parties make this agreement on a voluntary basis and with the understanding of the nature of this full and final settlement of this matter.

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

Dated: January 7, 2021

Residential Tenancy Branch