



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing, via teleconference, was held on August 30, 2021. The Tenant applied for the following relief, pursuant to the *Manufactured Home Park Tenancy Act* (the "Act"):

1. cancellation of the Landlord's 1 Month Notice to End Tenancy for Cause (the Notice) pursuant to section 40;
2. recovery of the filing fee for this application.

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, both parties agreed to set aside the Notice in pursuit of the following settlement agreement.

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:

- The Tenant will move out of the rental pad by October 31, 2021, at 1 pm.
- The Tenant is at liberty to move out before this time. The Landlord expressed that she is willing to assist the Tenant in finding alternative accommodations, although she does not have any firm options at this time. This can be discussed after the hearing and does not impact the agreed upon end date of October 31, 2021.
- An order of possession will be issued to the Landlord for this date.

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 this matter. 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, October 31, 2021, at 1 pm.

Conclusion

In support of the agreement described above, the Landlord is granted an order of possession effective **October 31, 2021**, 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.

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: August 30, 2021

Residential Tenancy Branch