



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding INSPIRE 1 INVESTMENTS LTD and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes

OL, FFT

Introduction

On July 23, 2021, the Landlord submitted an Application for Dispute Resolution under the Manufactured Home Park Tenancy Act ("the Act) requesting that the Tenant be ordered to comply with the Manufactured Home Park rules and to recover the filing fee for this application. The matter was set for a conference call.

An Agent for the Landlord (the "Landlord") and the Tenant attended the hearing and were each affirmed to be truthful in their testimony. The Landlord and Tenant were provided with the opportunity to present their evidence orally and in written and documentary form and to make submissions at the hearing. The parties testified that they exchanged the documentary evidence that I have before me. Both parties were advised of section 6.11 of the Residential Tenancy Branches Rules of Procedure, prohibiting the recording of these proceedings.

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.

Issues to be Decided

- Should the Tenant be ordered to comply with the Manufactured Home Park rules?
- Is the Landlord entitled to recover the cost of the filing fee?

Background and Evidence

During the hearing, both parties expressed a desire to enter into a mutual agreement to end the tenancy.

Section 63 of the *Act* allows for the parties to consider a settlement to their dispute during the hearing, and that any settlement agreement reached during the hearing may be recorded in the form of a decision and an order. In accordance with this, an opportunity for a settlement discussion was presented, and the parties came to an agreement on a settlement that would resolve their dispute.

During the hearing, the parties agreed to the following settlement:

1. The Tenant agrees to abide by the published Manufactured Home Park rules.
2. The Tenant will repay the Landlord their \$100.00 filing fee for this hearing by October 31, 2021.

The above terms of the settlement agreement were reviewed with all parties at the end of the hearing, and all parties confirmed that they were entering into the settlement agreement on a voluntary basis. They also confirmed understanding of the terms of the settlement agreement as full and final settlement of this matter.

Analysis

A conditional **Monetary Order** for **\$100.00** will be granted to the Landlord to be served on Tenant should the Tenant not repay the filing fee for this hearing in accordance with this agreement.

Conclusion

The parties are ordered to comply with the terms of the settlement agreement as outlined in this decision.

I grant a conditional **Monetary Order** to the Landlord to be served to the Tenant on the condition that the Tenant did not comply with the second term of the settlement agreement. If this occurs, the Monetary Order must be served upon the Tenant, and should the Tenant fail to comply with this Order; this Order may be filed in the Small Claims Division of the Provincial Court and 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: September 24, 2021

Residential Tenancy Branch