



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes For the tenant: CNC, FFT
 For the landlord: OPC, FFL

Introduction

Pursuant to section 51 of the *Manufactured Home Park Tenancy Act* (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- cancellation of the One Month Notice to End Tenancy for Cause (the Notice), pursuant to section 40; and
- an authorization to recover the filing fee for this application, under section 65.

The landlord's application pursuant to the Act is for:

- an order of possession under the Notice, pursuant to sections 40 and 48; and
- an authorization to recover the filing fee for this application, under section 65.

Tenants PT and GM and advocate JK, landlords KS and WS attended the hearing. Witnesses for the tenant BF, SM and TM also attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

At the outset of the hearing the attending parties affirmed they understand it is prohibited to record this hearing.

Per section 87(3) of the Act, the parties may be fined up to \$5,000.00 if they record this hearing: "A person who contravenes or fails to comply with a decision or an order made by the director commits an offence and is liable on conviction to a fine of not more than \$5 000."

Settlement

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 regarding this application only.

Both parties agreed to the following final and binding settlement of all issues listed in these applications for dispute resolution:

1. The Notice dated October 23, 2021 is cancelled. This tenancy will continue until ended in accordance with the Act.
2. The tenant will not allow AC (full name recorded on the cover page of this decision) to enter the Manufactured Home Park.
3. If AC enters the Manufactured Home Park the police can be called immediately, and the landlord may serve a new notice to end tenancy.
4. The tenant will send by registered mail a copy of this decision to AC by December 06, 2021 and will provide a copy of the proof of registered mail to the landlord.
5. The tenant will continue to maintain the yard in her site in good condition.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of these applications.

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: December 01, 2021

Residential Tenancy Branch