



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O, FF

Introduction

This hearing was convened as the result of the tenants' application for dispute resolution. The tenant applied under the Manufactured Home Park Tenancy Act (MHPTA) for other relief not specified and to recover the cost of the filing fee.

In this case, the residence of the tenants in dispute involves a rental of a manufactured home (rental unit) and manufactured home site.

Section 4 of the MHPTA states that this Act does not apply to a tenancy agreement under which a manufactured home site and a manufactured home are both rented to the same tenant. As a result, I find this dispute falls under the jurisdiction of the Residential Tenancy Act (Act).

The tenant DE, the landlord's legal counsel and the owner appeared and confirmed a settlement reached prior to the hearing.

The parties agreed that the tenancy would end by February 28, 2022, at 1:00 p.m. The parties also agreed that I would record their settled agreement.

Settled Agreement

Prior to the dispute resolution hearing, the parties reached a settlement. Pursuant to section 63 of the Act, I record their agreement in this my Decision. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the tenants' application.

The parties agreed to a settlement under the following terms and conditions:

1. The tenancy for the rental unit and manufactured home site shall end by 1:00 p.m. on February 28, 2022;
2. The parties agree and understand the landlord will be issued an order of possession (Order) for the rental unit and manufactured home site, effective on February 28, 2022, at 1:00 p.m.
3. Should it become necessary, this Order must be served on the tenants and may be enforced in the Supreme Court of British Columbia.

Conclusion

The tenant and the landlord have reached a settled agreement of the tenants' application.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession of the rental unit and manufactured home site effective on February 28, 2022, at 1:00 p.m.

The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement, or the Act, it is open to the other party to take steps under the Act to seek remedy.

As this matter was settled, I decline to award the tenants recovery of the filing fee.

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

Dated: January 7, 2022

Residential Tenancy Branch