



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Preliminary and Procedural Matters-

This hearing was convened as a result of the tenant's application for dispute resolution under the Manufactured Home Park Tenancy Act (Act) for:

- an order cancelling the One Month Notice to End Tenancy for Cause (Notice) issued by the landlord.

The tenant and landlord's agents attended, the hearing process was explained, and they were given an opportunity to ask questions about the hearing process.

The parties confirmed receiving the other's evidence.

There was not a copy of the Notice filed in evidence, although both parties agreed on the contents of the Notice form. The landlord, GV, agreed to upload the Notice, which was done during the hearing.

When discussing the preliminary issues, the tenant disclosed that the parties had been in communication about a resolution of the matters at hand.

Thereafter, a mediated discussion ensued, and the parties agreed to resolve the issues of the tenant's application, and that I would record their settlement.

I record the terms of settlement in this Decision.

I additionally removed the name of the second listed applicant/tenant, JW, as that applicant is not on the tenancy agreement, does not pay rent, is the tenant's son, and is confirmed as being an occupant only.

### Settlement and Conclusion

The parties confirmed that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of these matters. The terms of the settlement are as follows:

1. The tenant agrees that by March 15, 2022, the manufactured home on the site will be vacant and unoccupied and placed on the market for sale.
2. The landlord will be issued an order of possession of the manufactured home site, for an effective date of 1:00 pm on May 15, 2022, in the event the manufactured home is not sold by that date.
3. The tenant agrees that the manufactured home will remain unoccupied as of March 15, 2022.
4. The tenant has until May 15, 2022, to sell the manufactured home, and if unsuccessful, the landlord may serve the order of possession of the rental unit for enforcement purposes.
5. The tenant agrees that any potential sale of the manufactured home will be with the landlord's prior approval before being finalized.

The parties are encouraged to keep an open dialogue during this period.

All correspondence will be directed to the landlord, GV.

The tenant is cautioned that should her son return to the manufactured home to occupy after March 15, 2022, as he is an occupant only, he has no legal rights of a tenant to occupy the manufactured home. The landlord has the option of having him removed by law enforcement.

As the parties resolved matters by agreement, I make no findings of fact or law with respect to the claims in the tenant's application.

This decision containing the parties settled agreement 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: February 25, 2022