



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ORL

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 applicant applied for:

- an order for the respondent to follow the Manufactured Home Park Rules, under section 55 of the Act; and
- an authorization to recover the filing fee for this application, under section 65.

Applicant JM and respondent KF attended the hearing. Witnesses for the applicant KE and KM also attended the hearing. KE did not inform his last name. 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 this application for dispute resolution:

1. The respondent agrees to give vacant possession of the rental site to the applicant by June 30, 2022 at 1:00 P.M.
2. The respondent is not responsible for removing the manufactured home from the site.
3. The respondent will pay monthly rent in the amount of \$258.90 to the applicant on the first day of every month until the move out date.

Conclusion

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

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 56(2) of the Act, I issue an order of possession to the applicant, which is to take effect by 1:00 P.M. on June 30, 2022. The applicant is provided with this order in the above terms and must serve it on the respondent in accordance with the Act. If the respondent fails to comply with this Order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

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: March 25, 2022

Residential Tenancy Branch