



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to cancel a One Month Notice to End Tenancy for Cause.

Both parties appeared.

In this case, the tenant has vacated the property. The landlord also had an outstanding file, which the file number has been recorded on the covering page of this decision. The landlord's application is seeking an order of possession and a monetary order for unpaid rent.

The tenancy agreement submitted shows the tenant has the right to "occupy the site" from time to time and at other times the RV is considered to be in storage. The Branch does not have the authority under the MHPTA to determine disputes regarding licences to occupy. Nor does the Branch determine dispute regarding storage fees under that agreement.

During the hearing the parties agreed to settle these matters, I recorded the settlement as a courtesy to the parties although jurisdiction was not determined:

- a. The tenant has vacated the property;
- b. The tenant agrees the landlord will keep the damage deposit of \$275.00, as settlement of the landlord's claim for unpaid rent and that landlord's application is withdrawn;
- c. The tenant acknowledged and agreed that they will not attend the subject property for any reason; and

- d. The tenant is on formal notice by the landlord that if they attend the subject property they will be charged for trespassing, which the tenant understood.

Should either party make any future application to the Residential Tenancy Branch. They must be prepared to provide submission on the issue of jurisdiction.

This decision 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: October 04, 2022

Residential Tenancy Branch