



# 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 the Tenant's application pursuant to the *Manufactured Home Park Tenancy Act* (the "Act") for cancellation of the Landlord's One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to Sections 40 and 55 of the Act.

The hearing was conducted via teleconference. The Landlord and the Tenant, and his Advocate, attended the hearing at the appointed date and time. Both parties were each given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

### 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.

The Tenant proposed a settlement in this matter, and the Landlord agreed. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision.

The Parties agreed to settle this matter as follows:

1. The Tenant agrees to tow his trailer off the site and out of the park on November 30, 2022;

2. The tenancy will end by way of mutual agreement at 1:00 p.m. on November 30, 2022;
3. The Landlord will be granted an Order of Possession for the above tenancy end date;
4. The Tenant agrees to appropriately conduct himself until the end of the tenancy;
5. The Tenant agrees to leave the park site clean upon vacating;
6. The Landlord agrees to do a final reading of the hydro meter on November 30, 2022 and will personally serve the final notice to the Tenant on November 30, 2022;
7. The Landlord agrees to return the balance of the \$300.00 security deposit after deduction of the hydro expense to the Tenant on November 30, 2022;
8. The Parties are ordered to comply with all these settlement terms; and,
9. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.

The Parties' rights and obligations under the Act and the tenancy agreement continue until the tenancy ends in accordance with this agreement. Both Parties testified at the hearing that they confirm the accuracy of the final terms above, and that they understood and agreed to these terms, free of any duress or coercion. Both Parties testified that they understood and agreed that the above terms are legal, final, binding, and enforceable, which settle all aspects of this dispute.

### Conclusion

Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement, I grant the Landlord an Order of Possession effective at 1:00 p.m. on November 30, 2022. The Order may be filed in and enforced as an Order of the British Columbia Supreme Court.

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

Dated: November 08, 2022

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Residential Tenancy Branch