



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding FULTON & COMPANY LLP and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes **CNLC, FFT**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Manufactured Home Park Tenancy Act* (the "Act") for:

1. Cancellation of the Landlord's 12 Month Notice to End Tenancy For Conversion of Manufactured Home Park (the "12 Month Notice") pursuant to Sections 42 and 55 of the Act; and
2. Recovery of the application filing fee pursuant to Section 65 of the Act.

The hearing was conducted via teleconference. The Landlord's Legal Counsel and the Tenant's Legal Counsel attended the hearing at the appointed date and time. Both parties were each given a full opportunity to be heard, 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 parties brought up that they had reached a mutual agreement on this matter. 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 tenancy will end by way of mutual agreement on August 1, 2023;
2. The Landlord will be granted an Order of Possession for the above tenancy end date;
3. The Parties are ordered to comply with all these settlement terms; and,
4. 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 August 1, 2023. The Order may be filed in 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 Act.

Dated: December 09, 2022

Residential Tenancy Branch