



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

RECORD OF SETTLEMENT

Dispute Codes CNC, FFT

Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties participated in the hearing and were given a full opportunity to make submissions.

Settlement of all Issues

Section 56 of the *Manufactured Home Park Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties at the outset of the hearing led to a resolution. Specifically, it was agreed as follows;

1. Both parties agree that the following work is to be completed by the tenants by no later than May 31, 2023;
 - a. Front Garden finished.
 - b. Removal of the dog urine smell from the deck.
 - c. Rotten portion of the deck fixed.
 - d. Painting of deck.
 - e. Weeds removed.
 - f. Front tree trimmed to Park Standards.
 - g. Mobile Washed.

- h. Remove all items being stored on the deck.
 - i. Remove all items in the carport/driveway except operable vehicle; and
2. Both parties agree that the landlord will attend the site on June 1, 2023 to inspect that the work has been completed.

The filing fee is a discretionary award usually issued by an Arbitrator after a party is fully successful after a full hearing on the merits of the application. As I was not required to make a decision regarding this application and both parties agreed to voluntarily settle this matter, I decline to award the recovery of the filing fee to the applicants.

The above particulars comprise full and final settlement of all aspects of the dispute arising from this application for both parties.

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: January 31, 2023

Residential Tenancy Branch