



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CRANBERRY MOBILE HOME  
PARK and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      **OPC, FFL**

### Introduction

This hearing dealt with an application filed by the landlord pursuant the *Manufactured Home Park Tenancy Act* (the "Act") for:

- An order of possession for cause pursuant to section 40; and
- Authorization to recover the filing fee from the other party pursuant to section 65.

The tenant and the landlord both attended the hearing. The landlord was represented by property manager, JA and owner, TV. The tenant acknowledged service of the landlord's Notice of Dispute Resolution Proceedings and had no issues with timely service of documents.

The parties were informed at the start of the hearing that recording of the dispute resolution is prohibited under the Rule 6.11 of the Residential Tenancy Branch Rules of Procedure ("Rules") and that if any recording was made without my authorization, the offending party would be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation and potential fine under the Act.

Each party was administered an oath to tell the truth and they both confirmed that they were not recording the hearing.

### Settlement Reached

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, turned their minds to compromise and achieved the following resolution of their dispute.

1. The parties mutually agree to end this tenancy. This tenancy will end at 1:00 p.m. on July 31, 2023 by which time the tenant and any other occupant will have vacated the pad.
2. The rights and obligations of the parties continue until the tenancy ends.
3. The parties agree that the landlord will provide the tenant with the receipts for rent from January 2023 to July 2023 on the last day of the tenancy.
4. The tenant undertakes to remove all his possessions from the pad before the end of the tenancy.

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. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the application before me.

The decision to order payment of the filing fee is discretionary upon the arbitrator and in accordance with section 65 of the Act, the filing fee will not be recovered.

#### Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue an Order of Possession to the landlord. The landlord is to serve this Order of Possession upon the tenant immediately and enforce it as early as 1:00 p.m. on July 31, 2023 should the landlord be required to do so.

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 30, 2023

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Residential Tenancy Branch