



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes **CNC, FFT**

Introduction

This hearing dealt with an application by the tenant pursuant to the *Manufactured Home Park Tenancy Act* (“Act”) for orders as follows:

- cancellation of the landlords’ One Month Notice to End Tenancy for Cause (“One Month Notice”) pursuant to section 40
- reimbursement of the filing fee pursuant to section 65

Both parties attended the hearing with the landlord represented by an agent PP, while the tenants RG and NG appeared for themselves. All parties were given a full opportunity to be heard, to present testimony, to make submissions, and to call witnesses.

The hearing was conducted by conference call. The parties were reminded to not record the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

The tenants confirmed receipt of the One Month Notice dated May 31, 2022. Pursuant to sections 81 of the Act the tenants are properly served with this notice in accordance with the Act.

Both parties acknowledged receipt of each other’s hearing packages. I find the parties were properly served in accordance with sections 81 and 82 of the Act.

Settlement

Pursuant to section 63 of the Act, an 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, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The tenants agree to remove all fence posts and the fence on the rental property no later than March 31, 2023
2. The tenants agree to remove all tree stumps on the property no later than April 30, 2023
3. The tenants agree to wash the mobile home and any other structures on the rental property that are covered in mold by April 30, 2023
4. The tenants agree to paint the trim on the mobile home and shed on the rental property no later than May 30, 2023
5. The tenants agree to provide the landlord with a letter from a qualified professional regarding the need to install soffits on the mobile home no later than March 31, 2023
6. The tenants agree to get an opinion from a certified arborist no later than May 30, 2023 with respect to any action that needs to be taken to trim a tree on the rental property
7. The parties agree that the tenancy will continue until ended in accordance with the Act.

As the parties have reached a settlement, I make no factual findings about the merits of this application, and I have only addressed the issues brought forward in the application before me.

Conclusion

I order the parties to comply with the terms of the settled agreement described above.

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: March 17, 2023