



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, FFT

Introduction

This hearing convened by way of conference call on January 25, 2024 concerning an application made by the tenants seeking an order cancelling a One Month Notice to End Tenancy For Cause; an order that the landlords comply with the *Manufactured Home Park Tenancy Act*, regulation or tenancy agreement; and to recover the filing fee from the landlords for the cost of the application.

Both named tenants attended the hearing and were represented by an Advocate. One of the named landlords also attended and represented the other named landlords.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. The One Month Notice to End Tenancy For Cause dated October 1, 2023 is cancelled and the tenancy continues until it has ended in accordance with the law;
2. The tenants will remove all bushes and vegetation in the boulevard in front of the pad site;
3. The tenants will trim the hedging and scrub trees around the pad site, to include a height of about 5 feet, but not to include the 30 foot tall cedars;
4. The tenants will remove all fencing except on the west boundary of the pad site;
5. The tenants will remove all wood, rocks, driftwood, tools and other items stored outside in the yard, which includes unused pots; one planting bed is permitted in the side yard, which may be trimmed with rock and to be approved by the landlord(s) in writing;

6. The tenants will restore and maintain the grass and flowers across the front of the pad site and south end of the driveway;
7. The tenants will construct a garbage bin enclosure before the end of 2024 in accordance with Rule B7 of the Rules of the Park, with siding to match the tenants' unit;
8. The tenants will provide a written apology to the park manager and spouse;
9. The tenants' dog is permitted to remain in the park with the tenants' undertaking that they will not leave the dog alone in the yard or allow the dog to run free in the park;
10. the landlords and agents will not enter the porch of the tenants' manufactured home, but will leave any notices attached to the porch door, or to another conspicuous place.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

I also ordered that the tenants' application for an order that the landlords comply with the *Act* or the tenancy agreement is dismissed.

Since the parties have settled this dispute I decline to order that the tenants recover the filing fee from the landlords.

Conclusion

For the reasons set out above, and by consent, the One Month Notice to End Tenancy For Cause dated October 1, 2023 is hereby cancelled and the tenancy continues until it has ended in accordance with the law.

I hereby order the parties to comply with the terms of the settlement agreement as set out above.

The tenants' application for an order that the landlords comply with the *Act*, regulation or tenancy agreement is hereby dismissed without leave to reapply.

The tenants' application for recovery of the filing fee from the landlords is hereby dismissed without leave to reapply

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 25, 2024

Residential Tenancy Branch