



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Introduction

This hearing was convened under the *Manufactured Home Park Tenancy Act* (The **Act**) in response to cross applications from the parties.

The Tenants filed their application on October 24, 2024, and they are seeking:

- Cancellation of the Landlord's One Month Notice for Cause dated October 2, 2024 (the **Notice**); and
- Additional time to dispute the Notice.

The Landlord filed their application on November 5, 2024, and they are seeking:

- An order of possession pursuant to the Notice.
- Their \$100.00 filing fee.

During the hearing the parties indicated their intention to settle their disputes.

Analysis

Under section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute. 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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of both parties' applications and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The Notice is cancelled and is of no force or effect.
2. This tenancy continues until it is ended in accordance with the *Act* and/or section "3." of this settlement agreement.
3. If the Landlord receives any further complaints from residents of the Green Bay Mobile Home Park in relation to noise from the Rental Unit, this tenancy will come to an end, effective the last day of the month in which the complaint was

received by the Landlord.

4. Both parties agreed that these particulars comprise the full settlement of all aspects of the parties' current applications for dispute resolution.

The Landlord requested a refund of their filing fee during the hearing. The Residential Tenancy Branch will issue a refund to the Landlord following this decision. The Landlord may contact the Residential Tenancy Branch after December 9, 2024, if they have not received a refund.

Conclusion

The Notice is cancelled and is of no force or effect. This tenancy continues pursuant to the terms of this settlement agreement. The Landlord may file an application with the Residential Tenancy Branch if the Tenant contravenes a term of this agreement.

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 02, 2024

Residential Tenancy Branch