

## **DECISION**

### **Introduction**

This review hearing dealt with the Landlord's Application for Dispute Resolution under the *Manufactured Home Park Tenancy Act* (the Act) for:

- an Order of Possession based on a One Month Notice to End Tenancy for Cause (One Month Notice) under sections 40 and 48 of the Act
- authorization to recover the filing fee for this application from the Tenant under

AND the Tenant's Application for Review Consideration on the grounds of being unable to attend due to circumstances outside of their control.

Both the Landlord and Tenant attended this review hearing.

At the outset of the hearing, the parties indicated that they had reached an agreement on all matters.

### **Analysis**

Under section 57.2 of the Act, a settlement reached outside dispute resolution proceedings may be recorded in the form of a decision or an order by the arbitrator. During this hearing, the parties provided the terms of their settlement agreement reached outside of the dispute resolution proceedings.

Both parties agree to the following terms of a final and binding resolution of the Landlord's application, the Tenant's application for review, 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 parties will sign a mutual agreement to end the tenancy effective May 31, 2025.
2. The Tenant will provide vacant possession of the rental pad to the Landlord by May 31, 2025, at 1:00pm.
3. The current application and review application (file 910192521) and future application (file 910193664) are all resolved by this agreement. The Tenant will withdraw their application under the file ending in 3664 in satisfaction of this agreement.
4. The parties agree to withdraw the One Month Notice dated February 10, 2025.

5. The Landlord agrees to pay the Tenant \$1500.00 by May 9, 2025, for assistance with moving expenses.
6. The parties agree that the original Decision, Order of Possession, and Monetary Order dated April 9, 2025, are cancelled, and of no force or effect. This settlement agreement replaces the original decision and orders.
7. Both parties agreed that these terms are the full settlement of all aspects of the Landlord's current application for dispute resolution, the Tenant's application for review, and the Tenant's future application with the file number ending in 3664.

## **Conclusion**

In order to give effect to the settlement reached between the parties, and as discussed at the hearing, I make the following Orders under section 57.2 of the Act:

I Order the Landlord and Tenant to sign the mutual agreement to end tenancy effective May 31, 2025.

I Order the Tenant to vacate the rental unit in compliance with the mutual agreement to end tenancy and this settlement agreement, by May 31, 2025 at 1:00pm.

I Order the Tenant to withdraw their application under file 910193664 in compliance with this agreement.

I Order that the One Month Notice dated February 10, 2025, is cancelled, and of no force or effect, by agreement of the parties.

I Order the Landlord to pay \$1500.00 to the Tenant by May 9, 2025.

The original Decision, Order of Possession, and Monetary Order dated April 9, 2025, are cancelled, and of no force or effect. This settlement agreement replaces the original decision and orders.

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: May 9, 2025

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Residential Tenancy Branch