



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MIRAE INVESTMENTS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      CNR OLC RP

### **Introduction**

This hearing dealt with the tenant's application pursuant to the *Manufactured Home Park Tenancy Act* (the *Act*) for:

- cancellation of the landlords' 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 39;
- a monetary order for compensation for emergency repairs under the *Act*, regulation or tenancy agreement pursuant to section 60;
- authorization to recover the filing fee for this application, pursuant to section 65;
- an order requiring the landlords to comply with the *Act*, regulation or tenancy agreement pursuant to section 55.

The landlord's agent, DS ('the landlord'), testified on behalf of the landlord in this hearing and was given full authority to do so by the landlord. Both parties were given a full opportunity to be heard, to present their sworn testimony, to make submissions, to call witnesses and to cross-examine one another.

The landlord confirmed receipt of the tenant's application for dispute resolution hearing package ("Application"). In accordance with section 82 of the *Act*, I find the landlord duly served with the application.

The tenant confirmed receipt of the 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) dated October 15, 2018. Accordingly, I find that the 10 Day Notice was served to the tenant in accordance with section 81 of the *Act*.

### **Analysis**

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 a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time.

1. The tenant agreed to pay, in full, the outstanding rent in the amount of \$1,636.00, to the landlord by January 3, 2019.
2. The landlord agreed to withdraw the 10 Day Notice dated October 15, 2018.
3. Both parties agreed that this tenancy will continue until ended in accordance with the *Act* and tenancy agreement.
4. Both parties agreed that the tenant must pay rent as required by the tenancy agreement and the *Act*.
5. The tenant agreed to withdraw her application for the landlord to perform repairs.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. 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.

### **Conclusion**

The landlord's 10 Day Notice, dated October 15, 2018, is cancelled and is of no force or effect, and the tenancy will continue until ended in accordance with the *Act* and tenancy agreement.

In order to implement the above settlement reached between the parties, and as advised to both parties during the hearing, I issue a Monetary Order in the landlord's favour in the amount of \$1,636.00. The landlord is provided with this Order in the above terms and the tenant must be served with a copy of this Order as soon as possible in the event that the tenant does not abide by condition #1 of the above agreement. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

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: November 30, 2018

---

Residential Tenancy Branch