



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR, FF

Introduction

This hearing was reconvened as a participatory proceeding as set out in the Interim Decision dated May 21, 2019. The Landlord applied pursuant to the *Manufactured Home Park Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 60;
2. An Order of Possession - Section 48; and
3. An Order to recover the filing fee for this application - Section 65.

Both Parties attended the hearing and at the onset entered into settlement discussions. During the hearing the Parties resolved the dispute with a settlement agreement.

Agreed Facts

The tenancy began on January 1, 2006. The Tenant became deceased in December 2018. The Respondent continued to pay monthly rent of \$383.90 to and including April 2019. No rent was paid for May 2019. Unauthorized persons have been occupying the unit and are in the process of moving out of the unit.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy is ended;**
- 2. The Respondent will pay the Landlord outstanding rent of \$383.90 and the filing fee of \$100.00 from monies that may be available in the Estate;**

3. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. Considering that unauthorized persons have not completed their move out of the unit and in order to give effect to the settlement agreement I grant the Landlord an order of possession and a monetary order for \$483.93.

Conclusion

I grant an Order of Possession to the Landlord. The Respondent must be served with this **Order of Possession**. Should the Respondent fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I grant the Landlord an order under Section 67 of the Act for **\$483.90**. If necessary, this order may be filed in the Small Claims 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 Act.

Dated: July 05, 2019

Residential Tenancy Branch