



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

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

- an Order of Possession pursuant to section 49; and
- authorization to recover his filing fee for this application from the tenant pursuant to section 65.

Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions and argument.

Settlement

Section 56 of the *Manufactured Home Park Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows;

1. Both parties agreed that the tenant will move out by no later than 1:00 p.m. on June 30, 2023;
2. Both parties agreed that the tenant will pay pet deposit of \$250.00;
3. Both parties agreed that the tenant will allow the landlord to inspect the unit as long as the landlord gives proper notice in accordance with the *Act*;
4. Both parties agreed that the tenants' dog will be on a leash at all times when outside of the tenants unit; and

5. Both parties agreed that, if the tenant finds another place to live before June 30, 2023, he can move as soon as possible without the need to provide notice as required under the *Act*.

Pursuant to this agreement the landlord will be given an order of possession to reflect condition #1 of this agreement. Should it be necessary, this order may be filed in the Supreme Court and enforced as an order of that Court.

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.

The filing fee is a discretionary award usually issued by an Arbitrator after a party is fully successful after a full hearing on the merits of the application. As I was not required to make a decision regarding this application and both parties agreed to voluntarily settle this matter, I decline to award the recovery of the filing fee to the applicants.

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: April 25, 2023

Residential Tenancy Branch