



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

**Dispute Codes**      **CNR MNDCT OLC**

### **Introduction**

This hearing was convened as a result of the Tenant's application for dispute resolution ("Application") under the *Manufactured Home Park Tenancy Act* (the "Act"). The Tenant seeks:

- an order cancelling a Ten Day Notice to End Tenancy for Unpaid Rent and/or Utilities dated December 7, 2022 ("10 Day Notice") pursuant to section 39;
- a monetary order for compensation from the Landlord pursuant to section 65; and
- an order for the Landlord to comply with the Act, the *Residential Tenancy Regulation* and/or tenancy agreement pursuant to section 55 of the Act.

The Tenant stated he served the Notice of Dispute Resolution Proceeding and his evidence (hereinafter the "NDRP Package") on the RL in-person on December 14, 2022. RL stated the Landlord received the NDRP Package. As such, I find the NDRP Package was served on the Landlord in accordance with the provisions of sections 81 and 82 of the Act.

RL stated the Landlord did not serve any evidence on the Tenant.

### **Settlement of Tenant's Claims**

Pursuant to section 63 of the Act, an 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, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

The parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The Landlord agrees to cancel the 10 Day Notice;
2. The Tenant agrees to withdraw the Application;
3. The Tenant agrees to pay the Landlord \$2,498.32 calculated as follows:

Reason	Amount
Unpaid Rent for December 2022 and January through April 2023 inclusive at \$472.50 per month	\$2,362.50
Unpaid Utilities owing as of December 7,2022	136.32
<b>Total:</b>	<b>\$2,498.82</b>

4. The Tenant agrees to pay the Landlord for electrical utilities he uses and that are billed by the Landlord after January 1, 2022;
5. The Tenant agrees to vacate the home site not later than 1:00 pm on July 31, 2023;
6. The Tenant will pay the Landlord the rent in full, commencing on May 1, 2023, when it is due until the tenancy ends in accordance with the terms of this settlement; and
7. The Tenant may end the tenancy before July 31, 2023, by serving the Landlord with a written notice at least one clear month before the end of the tenancy in accordance with the provisions of section 38(1) of the Act and serving the written notice on the Landlord in accordance with one of the methods permitted by section 81 of the Act.

These particulars comprise the full and final settlement of all claims made by the Tenant in the Application. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of claims made in the Application.

### Conclusion

As the parties have reached a full and final settlement of all the claims set out in the Application, I make no factual findings about the merits of the Application.

To give effect to the settlement reached between the parties, and as discussed at the hearing, the Landlord is provided with:

1. an Order of Possession requiring the Tenant to vacate the home site by 1:00 pm on July 31, 2023. If the Tenant fails to comply with the Order of Possession, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court; and
2. a monetary order for the Tenant to pay \$2,498.82 to the Landlord. This monetary order may be enforced in the Small Claims Division of the Provincial Court.

The above orders are to be served by the Landlord on the Tenant as soon as possible.

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 27, 2023

---

Residential Tenancy Branch