



# Dispute Resolution Services

Residential Tenancy Branch

Office of Housing and Construction Standards

Ministry of Housing and Social Development

## **DECISION AND REASONS**

This hearing dealt with an application by the applicant for an Order that the respondent be removed from the property. The applicant stated that the respondent moved a trailer on to the applicant's property without permission. The applicant stated that there was no tenancy agreement and no permission was given to the respondent to move onto the property. The applicant confirmed that there has been no exchange of rent or any other benefit.

The applicant stated that the respondent was served notice of this application and hearing in person on February 12, 2009. Although the respondent was served he did not appear for the hearing.

Based on the evidence of the applicant I am satisfied that there is no tenancy agreement between the parties. I am satisfied that the respondent moved a trailer onto the applicant's private property without permission and is essentially a trespasser. There is no remedy or authority under the *Residential Tenancy Act* or *Manufactured Home Park Tenancy Act* to address this dispute. There is no tenancy agreement or contract that is enforceable under the *Act*.

The respondent's application is dismissed as having no jurisdiction under the *Act*.

Dated February 19, 2009.

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Dispute Resolution Officer