

# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **DECISION AND REASONS**

**Dispute Codes:** MNR, FF

### **Introduction**

This hearing dealt with an application by the tenant pursuant to section 60 of the *Manufactured Home Park Tenancy Act*, for an order to direct the landlord to pay for repairs to an underground electrical line. The tenant also applied to recover the filing fee, pursuant to section 65.

Service of the hearing document, by the tenant to the landlord, was done in accordance with section 81 of the *Manufactured Home Park Tenancy Act*, sent via registered mail on March 20, 2009. Despite having been served the notice of hearing, the landlord did not attend the hearing. The tenant attended the hearing and was given full opportunity to present evidence and make submissions.

### **Issues to be decided**

Is the landlord responsible for the cost of repairing the underground wiring to the tenant's rental pad? Is the tenant entitled to the recovery of his filing fee?

### **Background and Evidence**

The tenant testified that sometime in March 2009, there was a power outage and when the City restored power to the Manufactured Home Park, the power line to the tenant's pad burnt out. The landlord hired an electrical company to resolve the problem. It was determined by the company that the burnt out portion was underground and located approximately 73 feet away from the tenant's pad. The company also determined that it would be economical to replace the wiring instead of repairing it.

On March 15, 2009, after completion of the work, the electrical company called the tenant to ask him for his mailing address. The company representative advised the tenant that the landlord had directed him to contact the tenant for payment.

On March 16, 2009, the tenant spoke with the landlord regarding payment for the electrical work and the landlord advised him that it was the tenant's responsibility to pay for it. The landlord also told the tenant to "*do what you have to do*". The tenant has not received the invoice, but has applied for an order to direct the landlord to pay for the completed work.

### **Analysis**

Based on the undisputed sworn testimony of the tenant, I accept the tenant's evidence in respect of the claim. Pursuant to section 26 of the *Manufactured Home Park Tenancy Act*, a landlord must provide and maintain the manufactured home park in a reasonable state of repair and comply with housing, health and safety standards required by law. Pursuant to section 27, a landlord is responsible for repairs necessary for the use of property in the manufactured home park which includes repairs made to the electrical systems.

Therefore, I find that the landlord must pay for the work done to the underground wiring and I order the landlord to do so. I also find that the tenant has proven his case, and therefore he is entitled to the recovery of his filing fee, in the amount of \$50.00. The tenant may deduct this amount from the pad rent of the following month.

### **Conclusion**

The landlord is required to pay for the repairs to the electrical system and the tenant may deduct \$50.00 from a future rent.

Dated June 04, 2009.

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Dispute Resolution Officer