

DECISION

Dispute Codes OPT, AAT

Introduction

This hearing dealt with an application by the Tenant to obtain an Order of Possession and an Order to access the manufactured home located at the dispute address.

Preliminary Issues

The issue of jurisdiction was raised based on the documentary evidence supplied by the Tenant, whereby the Landlord had been issued a Writ of Possession by the Supreme Court of British Columbia, on July 27, 2009, based on an Order of Possession issued by the Residential Tenancy Branch on September 25, 2008.

The Tenant confirmed that she was seeking an Order of Possession for a Manufactured Home that she stated she owned, and an Order allowing her to access the Manufactured Home.

Analysis

The Tenant is seeking Orders pertaining to a Manufactured Home, an owned Chattel, and not a tenancy agreement of a Manufactured Home Park site. Section 2 (1) of the *Manufactured Home Park Tenancy Act* states that the Act applies to tenancy agreements of manufactured home sites in manufactured home parks. As the question before this hearing is not related to an issue of a tenancy agreement, I declined to hear this matter for want of jurisdiction.

Conclusion

I HEREBY DISMISS the Tenant's application, for want of jurisdiction and the Tenant is advised to seek out and make application with the appropriate 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 *Manufactured Home Park Tenancy Act*.

Dated: August 28, 2009.

Dispute Resolution Officer