

## **DECISION**

**Dispute Codes:** O

### **Introduction**

This application was brought by tenant seeking an order that the boundary line of her manufactured home site be restored to a position she believed it to be at when her tenancy began.

### **Issue(s) to be Decided**

This application requires a decision on whether there has been an alteration to the tenant's manufactured home site and whether it should be restored.

### **Background and Evidence**

This tenancy began on September 4, 2009 and pad rent is currently \$431.25 per month.

During the hearing, both parties gave evidence that, for the most part, tenants in the park take a very casual approach to the boundaries between lots as has been the case unit recently with the applicant tenant.

However, a new tenant moved in to the neighbouring site and has been demanding rigid interpretation of the boundary. This has resulted in his having grassed over an area on which the applicant tenant had placed gravel to avoid stepping in soggy grass when getting in and out of her vehicle when it is backed in.

In addition, the neighbouring tenant has objected to the placement of a trellis which he believed encroached on his property. In apparent retaliation, he has conducted a number of transgressions against the property of the applicant tenant.

In an effort to resolve the conflict, the landlord made reference to the only plot plans he had on file and confirmed the boundary to the effect that the trellis does encroach on the neighbour's site.

While the applicant tenant recalled that previous landlord had given his assurance that the area in question belonged to her site, he provided an affidavit attesting to the correctness of the plot plan submitted by the landlord.

### **Consent agreement**

The landlord sought the cooperation of the applicant tenant and offered to move the trellis and to assist her with repositioning her down spout to enable her to continue catching rain water.

The landlord stated that the applicant tenant's cooperation would either resolve the problem or permit him to take a very firm position with the neighbouring tenant if he should demonstrate any further inconsiderate or bullying behaviour toward the applicant.

## **Conclusion**

The applicant tenant concurred with the landlord's proposal and I commend both on their consideration of one another.