



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF

This hearing was convened in response to an application by the Landlord pursuant to the *Manufactured Home Park Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession pursuant to a Notice to End Tenancy for Cause - Section 48; and
2. An Order to recover the filing fee for this application - Section 65.

The Tenant did not appear at the Hearing. The Agent for the Landlord appeared and was unable to provide any evidence to show service of the Application and Notice of Hearing. The Agent stated that the person who could provide this evidence was to have appeared for the Landlord at this Hearing but could not appear as he was taking an exam that could not be rescheduled.

In order to start proceedings, Section 52(3) of the Act provides the following:

a person who makes an application for dispute resolution must give a copy of the application to the other party within 3 days of making it, or within a different period specified by the director.

Based on the evidence of the Landlord, I cannot find that the Tenant was served with the application for dispute resolution and notice of hearing in accordance with the Act. I therefore dismiss the application with leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: June 23, 2011.

Residential Tenancy Branch