



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking an order of possession.

The hearing was conducted via teleconference and was attended by two agents and a witness for the landlord. The tenant did not attend.

At the outset of the hearing the landlord's agent testified the notice of this hearing and its required material was served by posting it on the door of the manufactured home. In the Application for Dispute Resolution the landlord identified that they have considered the rental unit abandoned for several months.

As the landlord indicates the home is likely abandoned, I find the landlord has failed to serve the tenant with notice of this hearing in accordance with Section 82 of the *Manufactured Home Park Tenancy Act (Act)*.

Issue(s) to be Decided

The issue to be decided is whether the landlord is entitled to an order of possession for unpaid rent, pursuant to Sections 38 and 48 of the *Act*.

Conclusion

As I have found the tenant was not served with notice of this hearing in accordance with the *Act*, I dismiss the landlord's application in its entirety, 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 *Manufactured Home Park Tenancy Act*.

Dated: July 25, 2011.

Residential Tenancy Branch