



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      O

### Introduction

This hearing convened on December 06, 2011, and reconvened for the present session on February 16, 2012. This decision should be read in conjunction with my interim decision of December 06, 2011.

### Issue(s) to be Decided

1. Has a Notice of Rent Increase been completed and served in accordance with section 36(1)(a) of the *Manufactured Home Park Tenancy Act*?

### Background and Evidence

No additional testimony was provided as no one was in attendance at the schedule teleconference hearing for either party.

I note that the Landlord submitted late evidence on February 16, 2012 which indicates the Tenants have since sold their manufactured home and their lease was assigned to the new owners effective February 1, 2012.

### Analysis

Section 54 of the *Manufactured Home Park Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the adjourned hearing was scheduled for an oral teleconference hearing.

In the absence of the applicant Tenant and respondent Landlord, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenant called into the hearing during this time. Based on the

aforementioned I find that the Tenant has failed to present all of the merits of her application and the application is dismissed.

Conclusion

I HEREBY DISMISS the Tenant's application, without 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: February 16, 2012.

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Residential Tenancy Branch