



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD

This hearing was convened in response to an application by the Tenant for return of all or part of the security deposit pursuant to the *Manufactured Home Park Tenancy Act* (the "Act"). The Landlord and Tenant were each given full opportunity to be heard, to present evidence and to make submissions.

At the onset of the Hearing, the Tenant clarified that she was seeking compensation for loss of quiet enjoyment and stated that she brought this application against the operators of a home park although she subleased her unit from a different party and paid rent for the unit and the site to this different party.

Section 6 of the Act provides that the rights, obligations and prohibitions established under the Act are enforceable between a landlord and tenant under a tenancy agreement. Given the evidence of the Tenant, I find that the Tenant is not under a tenancy agreement with the Party identified in this application and that this Act therefore does not apply to the tenancy. Accordingly, I dismiss the application.

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: June 27, 2012.

---

Residential Tenancy Branch