



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

FF, O

### **Introduction**

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order directing the tenant to comply with the terms of his tenancy agreement and for the recovery of the filing fee.

The landlord testified that he served the tenant with the notice of hearing by registered mail. The landlord filed a tracking slip. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

### **Issues to be decided**

Is the landlord entitled to an order directing the tenant to comply with the terms of his tenancy agreement and a monetary order for the filing fee?

### **Background and Evidence**

The landlord testified that the tenancy started on December 01, 2007. The monthly pad rent is \$773.00.

The landlord filed a copy of the tenancy agreement and the community guidelines, both signed by the tenant. A term of the guidelines requires the tenant to install skirting that is acceptable to the property management team, within 30 days of occupancy. The landlord stated that after repeated reminders the tenant installed skirting around his mobile home but failed to install skirting around the deck. The landlord continued to remind the tenant to complete the job but the tenant failed to comply.

On May 04, 2012, the landlord served the tenant with a written notice reminding him to skirt the deck and clear the clutter that is lying in the area around his mobile home. As of June 12, the tenant had not complied and the landlord made this application to obtain an order directing the tenant to do so.

**Analysis**

Based on the undisputed testimony of the landlord and the photographs filed into evidence, I find that the tenant has failed to comply with a term of the tenancy agreement. I hereby order the tenant to skirt his deck and dispose of the clutter lying on his deck and in his driveway and yard, within 30 days of receipt of this decision.

Since the landlord has proven his case, he is entitled to the recovery of the filing fee of \$50.00.

I grant the landlord an order under section 60 of the *Manufactured Home Park Tenancy Act* for the amount of \$50.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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**Conclusion**

I grant the landlord a monetary order of **\$50.00**. I order the tenant to comply with the terms of his tenancy agreement and the community guidelines.

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 28, 2012.

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Residential Tenancy Branch