



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an order to have the electrical service restored to the dispute residences.

Background and Evidence

The landlord stated that:

- They have come up with a permanent solution to restore power to these affected sites as long as the manufactured homes are in compliance.
- The landlords further stated that electrical service has been restored to site L04 as that unit is now in compliance, and they have further determined that unit L02 is also now in compliance, and therefore electrical service will now be hooked up to that site as well.
- They do not believe however that at this time site L03 can have the electrical service restored because the owner of the manufactured home on that site has failed to remove an unauthorized structure attached to the manufactured home. The district of Summerland has ordered that that unauthorized structure be removed as it does not comply with the building bylaw or the B.C. building code and constitutes a fire hazard.

The tenants stated that:

- There is no reason not to restore the electrical service to site L03, as that manufactured home fully complies electrically and there is no safety issue in restoring electricity to that unit.
- The issue of the unauthorized structure that has been ordered to be removed has nothing to do with the electrical safety of the manufactured home and the letter from the District of Summerland does not state that electrical services may not be restored to this unit.

Analysis

It is my finding that the landlords must restore the electrical service to both the remaining sites that have not yet had their electrical service restored.

After reviewing the letter from the district of Summerland is my finding that there is nothing in that letter that would preclude the landlords from restoring electrical service to the manufactured homes as long as they complied with electrical requirements.

The tenants have testified that both their units now comply with all electrical requirements, and the landlords have provided no evidence to dispute those claims.

I therefore allow the request for an order to restore electrical services.

Conclusion

I have issued an order for the landlords to restore electrical services to units L02 & L03, Landry Crescent, Summerland B.C.

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: September 20, 2012.

Residential Tenancy Branch