



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## REVIEW CONSIDERATION DECISION

Dispute Codes: OPR

### Introduction

The Tenant applies for a review on the basis of new and relevant evidence.

Division 2, Section 72(2) under the *Manufactured Home Park Tenancy Act* says a party to the dispute may apply for a review of the decision. The application must contain reasons to support one or more of the grounds for review:

1. A party was unable to attend the original hearing because of circumstances that could not be anticipated and were beyond the party's control.
2. A party has new and relevant evidence that was not available at the time of the original hearing.
3. A party has evidence that the director's decision or order was obtained by fraud.

### Issues

Has the Tenant provided new and relevant evidence that was not available at the time of the original hearing?

### Facts and Analysis

The Tenant submits that the Notice to End Tenancy was found on the ground outside his front door and raises issues in relation to discrepancies on the Notice service provisions. The Tenant did not indicate what date this notice was found and it is noted that this Notice was not disputed. The Tenant did not indicate that this caused the Tenant to be unable to dispute the Notice within the time frame allowed under the Act. The evidence submitted is therefore not relevant to the finding of the Landlord's entitlement to an order of possession as the Act contains a conclusive requirement that the tenancy ends if the Notice is not disputed.

The Tenant made further submissions in relation to disabilities and motives for the Landlord's actions, the relevancy of which cannot be discerned.

As the Tenant's submissions do not contain any relevant evidence, I find that the Tenant is not entitled to a review hearing and I dismiss this application for review

Decision

The Decision made on March 6, 2013 stands.

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: March 21, 2013

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Residential Tenancy Branch