



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding South Okanagan Ventures Limited  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MT & O

### 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 evidence orally.

### Issue(s) to be Decided

This is an application to cancel a notice to end tenancy.

### Decision in reasons

I had a concern over whether the Residential Tenancy Branch has jurisdiction over this matter and therefore I dealt with that issue first and I have determined that this cannot be considered a residential tenancy and is in fact a commercial tenancy.

The landlord testified that the manufactured home site was rented to the applicant's to place a show home on the property.

The tenant testified that the manufactured home site was rented to them to use as a show home/office.

It's my finding that whether or not this manufactured home site was rented for a show home, or for a show home/office, neither is considered a residential tenancy and therefore the Manufactured Home Park Tenancy Act has no jurisdiction over this dispute.

Conclusion

I declined jurisdiction over this matter and will not hear the merits of the case.

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 25, 2013

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Residential Tenancy Branch

