

Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION ON REQUEST FOR CLARIFICATION

The applicant has requested a clarification to the Residential Tenancy Branch decision dated July 17, 2013 (the original decision).

Section 71 of the *Manufactured Home Park Tenancy Act* (the *Act*) enables the Residential Tenancy Branch to clarify a decision or order.

The applicant requests clarification of the following statement at page 4 of the original decision .

... if anything the changed circumstances of the passing of the tenant's son make it even more certain that the tenant enjoys the same rights and has the same obligations as any other tenant (under the Act).

In her application, the tenant asked the following question:

1. *What is the significance of the passing of my son, in relation to DB's (her son's) tenancy agreement, my occupancy, and my obligations under the Manufactured Home Park Tenancy Act?*

She asked for an elaboration of this portion of the original decision, "providing me with the Act and/or Sections under the MHPT Act and Regulations, or any information under a tenancy or occupation, connected to it." She further added that she had not been able to receive any information regarding probate and her standing in her specific situation as she was unable to hire a lawyer to start the probate process.

I find evidence does not support the tenant's request for clarification. I find that the sentence before and after the sentence cited by the tenant in her application adequately describes my decision that I was without jurisdiction to make any finding that varies from that provided by the Supreme Court as to the tenant's status as a tenant and the Supreme Court's finding that she was subject to the same rights as any other tenant under the *Act*. I find that the tenant's request is to obtain legal advice as to her current legal status after the passing of her son. It is not my role or function to provide such legal advice. If she requires such advice, the tenant will need to seek out available remedies for such advice. The original decision stands and I find no reason to issue a clarification of that decision.



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This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: .August 8, 2013

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