



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Code: CNL, FF, O

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution made by the tenant under the Manufactured Home Park Tenancy Act (referred to as the Act in this decision) to cancel a notice to end tenancy issued to the tenant for landlord's use of the property under the Residential Tenancy Act. The tenant also applied to recover the filing fee from the landlord for the cost of making the application and for 'other' issues for which none were identified during the hearing.

The tenant appeared for the hearing but the landlords named on the application did not. The tenant was unable to confirm how the copy of the application and the Notice of Hearing documents issued to the tenant were served to the landlords despite repeated questioning around the requirements of service of these documents under the Act. In the absence of the landlords to confirm receipt of the hearing documents and no supporting evidence submitted by the tenant in the form of Canada Post tracking numbers for registered mail or witness statement(s) verifying service, I am not satisfied that the service requirements for notice of this hearing had been met by the tenant. Therefore I am unwilling to continue with these proceedings.

Conclusion

For the reasons set out above, I dismiss the tenant's entire application with leave to re-apply. However, this does not extend any applicable time limits under the Act and I have made no findings of fact or law with respect to the merits of this application.

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: November 22, 2013

Residential Tenancy Branch

