



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Spiral Manufactured Home Park
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP, FF

Introduction

This hearing dealt with an application by the tenant seeking an order to have the landlord make repairs to the unit, site or property. Both parties participated in the conference call hearing. Both parties gave affirmed evidence.

Issues to be Decided

Is the tenant entitled to the above under the Act, regulation or tenancy agreement?

Background and Evidence

The tenancy began on or about March 1997. Rent in the amount of \$575.00 is payable in advance on the first day of each month.

The tenant gave the following testimony:

The tenant stated that there is a rotting maple tree on the pad next to hers that is a danger. The tenant stated that it is unsafe and has concerns for her greenhouse. The tenant stated that she filed for arbitration because that's when the landlord will do something.

The landlord gave the following testimony:

The landlord stated that they are taking all reasonable and required steps in addressing this and all other tree issues on the property. The landlord stated that these trees are

situated in a “riparian area” and cannot be removed without the consultation of several levels of government and qualified agencies.

Analysis

I accept the landlord’s testimony. The landlord provided extensive documentation that clearly shows he is taking all required measures in dealing with the trees. The landlords’ evidence outlines the extensive environmental issues that must be addressed before any work can be conducted. In addition, the tenant has not provided sufficient evidence to show that this particular maple tree is of any danger. I find that the landlord is conducting his business in Accordance with the Act in a timely and reasonable manner.

The tenant has not been successful in her application.

Conclusion

The tenant’s application is dismissed.

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: January 23, 2014

Residential Tenancy Branch

