



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STONECLIFF PROPERTIES LTD. (AKA STONECLIFF PARKS)
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR FF

Introduction

This hearing was convened as a result of the applicants' application seeking remedy under the *Manufactured Home Park Tenancy Act* (the "Act"). The applicants applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "10 Day Notice") and to recover the filing fee.

The applicants were provided with a copy of the Notice of a Dispute Resolution Hearing dated April 16, 2014. The applicants, however, did not attend the hearing set for today at 9:30 a.m, Pacific Time, on Friday, June 6, 2014. The phone line remained open for twelve minutes and was monitored throughout this time. The only person to call into the hearing was an agent for the respondent, "DM".

Preliminary and Procedural Matters

Agent "DM" submitted a copy of a previous Decision dated May 1, 2014, the file number of which has been included on the cover page of this Decision for ease of reference. In that Decision I declined jurisdiction and had removed applicant "GA" from the Application for Dispute Resolution pursuant to section 57(3) of the *Act*. As the same applicants have applied again to dispute a 10 Day Notice in which they were not named, I have removed applicant "GA" from the Application for Dispute Resolution due to insufficient evidence that "GA" was aware of this Application and that applicants "SM" or "MV" were acting on behalf of "GA".

During the hearing, the agent verbally requested an order of possession. The 10 Day Notice submitted in evidence was issued by the respondent company against tenant "SS" and is dated April 7, 2014.

Conclusion

The 10 Day Notice dated April 7, 2014 was issued against tenant, "SS", who was not named in the applicants' application for dispute resolution before me.

Given the above, I **decline jurisdiction** to resolve this dispute as I am satisfied that the applicants and the respondent do not have a tenant and landlord relationship pursuant to section 6(1) of the *Act*. This is consistent with my previous Decision dated May 1, 2014 in which I declined jurisdiction to resolve this dispute.

I am unable to grant the agent an order of possession as a result of the above. The landlord is at liberty to apply for an order of possession against tenant "SS" named in the 10 Day Notice dated April 7, 2014.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: June 6, 2014

Residential Tenancy Branch

