



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Parkbridge Lifestyle Communities Inc.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's application pursuant to the Manufactured Home Park *Tenancy Act* (the *Act*) for:

- an Order of Possession pursuant to section 48;
- a monetary order for unpaid rent and for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 60; and
- authorization to recover his filing fee for this application from the tenant pursuant to section 65.

The landlord's agent attended the hearing by conference call and gave undisputed testimony. No one attended for the Estate or submitted any documentary evidence.

Preliminary Issue

The landlord's agent testified that he served the tenant with the dispute resolution package and the submitted documentary evidence on August 6, 2015 by registered mail. The landlord's agent provided me with a Canada Post customer receipt that showed the same.

The landlord's agent clarified that they have filed an application against the Estate of the tenant and the tenant's daughter, S.M. as the Executor of the Estate. The landlords have provided evidence that the daughter, S.M. had given notice on February 18, 2015 renouncing executorship in the estate of the deceased. The landlords received email confirmation of this on March 12, 2015 with a copy of the notice. The landlords' agent states that he is unaware of anyone else acting on behalf of the Estate of the tenant.

On the basis of this evidence, I am not satisfied that the person or persons acting on behalf of the tenant was properly served with the dispute resolution package pursuant to sections 82 of the Act. I order the application dismissed with leave to reapply. I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

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: September 08, 2015

Residential Tenancy Branch

