



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LOMBARDY MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking an order to cancel a one month Notice to End Tenancy issued for cause under the *Manufactured Home Park Tenancy Act* (the "Act").

The Tenant and his three Advocates, as well as an Agent for the Landlord called into the hearing, which was conducted by teleconference call.

This was the third hearing in this matter and there have been two prior Interim Decisions made by me; one on October 28, 2015, and the second on November 30, 2015. These Interim Decisions should be read in conjunction with this Decision.

Prior to the continuation today both parties had sent in and exchanged evidence. However, at the outset of the hearing today the Agent for the Landlord explained they were withdrawing the Notice to End Tenancy for Cause as the Tenant had substantially cleaned up the rental site. The Tenant consented to the withdrawal of the Notice. It should be noted that the Tenant is elderly, has limited hearing capability and that his Advocates were of great help throughout this process.

The Agent for the Landlord did want to draw attention to the Tenant still having too many vehicles at the property.

It was explained to the Tenant that he is limited to two vehicles at his site under the park rules, and that failure to abide by the park rules may lead to the Landlord issuing another Notice to End Tenancy.

The Tenant continued to express his concerns about the problems he alleges there are with the management of the park; however, it was explained to the Tenant that this was not the subject of his present Application before me. The only issue listed on his Application was to cancel the Notice to End Tenancy.

It was explained to the Tenant that in order to make such claims against the Landlord he would be required to set those out in another Application, as those issues were not set out in the Application before me. I note that during the hearing the Advocates explained this to the Tenant as well.

Conclusion

The Notice to End Tenancy has been withdrawn by the Landlord and consented to by the Tenant; therefore, this matter is concluded.

The recent evidence does show the Tenant and his helpers substantially cleaned up the rental unit site. The Tenant was cautioned about abiding by the park rules in relation to the number of vehicles he has on the site.

The tenancy will continue until ended in accordance with the Act.

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: March 31, 2016

Residential Tenancy Branch