



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC

Introduction

The Application for Dispute Resolution filed by the Tenant seeks an order the landlord comply with the Act, regulation and/or tenancy agreement.

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

Preliminary Matter:

The parties agreed that MPD Ltd. should be added as a respondent to these proceedings.

I find that the Application for Dispute Resolution/Notice of Hearing was served by mailing, by registered mail to where the landlord carries on business on March 4, 2016. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issue to be decided is whether the tenant is entitled to an order that the landlord comply with the Residential Tenancy Act, Regulations or tenancy agreement?

Background and Evidence

The written tenancy agreement provided that the tenancy began on October 19, 2015 although the tenants moved in a month earlier. The rent is \$410 per month payable in advance on the first day of each month. The tenant suffers from significant health problems and she purchased a Juliana pig (named "Hamilton") as an emotional support animal. The pet pig lives with her parents who are located closed to the manufactured home park. In September 2015 the tenant obtained the written consent of the manager

of the manufactured home park that landlord consented to the pet pig being permitted to visit the tenant in the park. Based on this representation the tenants purchased the trailer and entered into the tenancy agreement.

The landlord testified she was not aware of the written permission until after the commencement of the tenant's application. She takes the position the manager did not have the authority to agree to this. Further, the pet pig is much larger than was represented and his presence violates a number of the provisions of the tenancy agreement.

Settlement::

During the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 55(2) of the Manufactured Home Park Tenancy Act as follows:

- a. The tenant shall have the right to have visits from Hamilton during her days off (estimated at 4 days a week).
- b. Hamilton shall be supervised by the tenants when visiting and he shall be taken directly from his home (the tenant's parents place) to the tenants' trailer. Hamilton shall not be permitted to wander on the manufactured home park property.
- c. Hamilton shall not stay overnight in the rental unit.
- d. If the parents of the tenant are out of town, one or both of the tenants shall stay overnight with Hamilton at the parent's place.

As a result of the settlement I ordered that the parties comply with the settlement agreement.

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: April 08, 2016

Residential Tenancy Branch