



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MULBERRY PARK DEVELOPMENTS LTD.
and [tenant name suppressed to protect privacy]

AMENDED DECISION

Dispute Codes O, FF

Introduction

The landlord applies for an order regarding the use of a stove on the property without a proper chimney and regarding the location by the tenant of structures adjacent to a neighbour.

The tenant did not attend the hearing within ten minutes of its scheduled start time.

The landlord's representative Ms. P. showed that the tenant was served by registered mail sent June 16, 2016 (tracking number shown on cover page of this decision). Canada Post records show that the tenant accepted delivery and signed for the mail on July 14, 2016.

I find that the tenant has been duly served.

Ms. P. testifies that the occupants in the manufactured home located on the site are continuing to use a wood stove despite the fact that the chimney has broken off. I accept her evidence that such use may pose a significant risk of fire.

As a result, **I order that the tenant and anyone else claiming possession or occupation of the manufactured home site immediately cease to use or permit the use of a wood stove on the manufactured home site, unless and until the use of a wood stove in the manufactured home located on the site has been certified as a permitted and a safe use by the local government building inspector or by any delegate of that inspector.**

I further order that this order will take effect immediately upon a copy of this decision being posted on a door to the manufactured home located on the aforesaid site.

Ms. P. testifies that the tenant has placed structures on the manufactured home site so close to the neighbouring manufactured home located on site #430 as to prevent work being done on that manufactured home, particularly, the skirting of the manufactured home on that site.

As a result, I order that the tenant and anyone else claiming possession or occupation of the manufactured home site immediately remove or have removed any structure, item or construction within two (2) meters of the manufactured home located on the adjacent site #430.

I further order that this order will take effect immediately upon a copy of this decision being posted on a door to the manufactured home located on the aforesaid site.

As the landlord has been successful on this application I award it recovery of the \$100.00 filing fee for the application.

The landlord will have a monetary order against the tenant in the amount of \$100.00.

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: July 21, 2016

Residential Tenancy Branch