



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STONECLIFF PROPERTIES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND MNDC

Introduction and Analysis

This hearing dealt with the landlord's Application for Dispute Resolution under the *Manufactured Home Park Tenancy Act* (the "Act") for a monetary order for damage to the unit, site or property, and for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement.

Three agents for the named landlord company attended the teleconference hearing. The tenant did not attend the hearing. An advocate, P.L. (the "advocate") affirmed that he and the Board of Directors for the housing society he works for were served with 22 applications for dispute resolution and that he was not representing the respondent tenant and was not aware of her whereabouts. Agent V.B. confirmed that the tenant was not served, that her whereabouts are unknown, and that the landlord has not applied for an order for substitute service under the *Act*.

Both parties have the right to a fair hearing. The tenant would not be aware of the hearing without having been served with the the Notice of a Dispute Resolution Hearing (the "Notice of Hearing") and Application for Dispute Resolution (the "Application") document from the applicant landlord. Therefore, **I dismiss** the landlord's application **with leave to reapply** as the tenant has not been sufficiently served with the Notice of Hearing and Application. I note this decision does not extend any applicable time limits under the *Act*.

Conclusion

The landlord's application is dismissed with leave to reapply due to a service issue. This decision does not extend any applicable time limits under 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: January 12, 2017

Residential Tenancy Branch