



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Lombardy Mngmnt Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, MNR

Introduction

This hearing dealt with an Application for Dispute Resolution with the applicant seeking to cancel a notice to end tenancy and a monetary order.

The hearing was conducted via teleconference and was attended by the applicant and an agent for the respondent.

The applicant submitted that he thought that the Residential Tenancy Branch did not have jurisdiction in matters related to his agreement with the respondent, based on the decision of January 10, 2017 (file number noted on the coversheet of this decision).

The respondent submitted that after the January 10, 2017 and the applicant's failure to pay rent, their legal counsel advised them to issue a 10 Day Notice to End Tenancy for Unpaid Rent. She further stated that in order to enforce the Notice she hoped to obtain an Order of Possession through this proceeding that would allow them to get a Writ of Possession through the Supreme Court of British Columbia.

Neither party submitted any testimony or evidence to suggest that the contract between the parties had changed since the January 10, 2017 decision.

As per the January 10, 2017 decision and in the absence of any evidence from either party that the nature of the contract between the parties has changed, I find that the contract between these two parties does not fall within the jurisdiction of the *Manufactured Home Park Tenancy Act (Act)*.

Issue(s) to be Decided

The issues to be decided are whether the applicant is entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent; to a monetary order for repairs, pursuant to Sections 27, and 39 of the *Act*.

Conclusion

Based on the above, I declined to hear matters set forth in this Application for Dispute Resolution for want of jurisdiction.

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: March 15, 2017

Residential Tenancy Branch