



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DOGWOOD CAMPGROUNDS B.C. LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, OLC, FF

Introduction

This hearing was scheduled for 11:00 a.m. on this date, via teleconference call, to deal with a Tenant's Application for Dispute Resolution filed under the Manufactured Home Park Tenancy Act (the Act). The respondent appeared and was represented by legal counsel; however, the applicant did not appear despite leaving the teleconference call open for at least 10 minutes.

Preliminary and Procedural Matters

The respondent made submissions that the Act does not apply to the arrangement between the parties and I do not have jurisdiction to resolve this dispute. More specifically, the respondent submitted that the applicant had a license to occupy a recreational vehicle (RV) site on the subject property, an RV park, and the parties do not have a tenancy agreement. The respondent had documentary evidence to support its position.

The Act applies to tenancy agreements with respect to possession of a manufactured home site in a manufactured home park. The Act defines "tenancy agreement" and licenses to occupy are not included in the definition. The Residential Tenancy Branch has published policy guidelines, including Residential Tenancy Branch Policy Guideline 9: *Tenancy Agreements and Licenses to Occupy* and Residential Tenancy Branch Policy Guideline 27: *Jurisdiction*, to provide information and policy statements with respect to finding jurisdiction where travel trailers, RV sites, and licenses to occupy are involved. As provided in the policy guidelines a license to occupy an RV site is not a tenancy to which the Act applies.

In the absence of any evidence to the contrary or any opposition from the applicant, I accepted that the parties do not have a tenancy agreement to which the Act applies and I do not have jurisdiction to resolve this dispute.

Conclusion

I have declined jurisdiction to resolve this dispute.

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 29, 2017

Residential Tenancy Branch