



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the applicant for a monetary order for money owed or compensation for loss under the Act.

Both parties appeared, gave testimony, and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing

### Preliminary issue

The first issue that I must determine is whether the *Manufactured Home Park Tenancy Act* applies.

The applicant stated that they are seeking compensation for repairs that they made to the manufactured home. The tenant stated that they had the home inspected in January 2014, and there were three major issues that were the responsibility of the seller. The tenant stated that these repairs were not completed by the seller.

The applicant stated that there were other repairs that were made to the manufacture home, such as replace the cabinets.

The respondent stated that they do not believe the *Manufactured Home Park Tenancy Act* applies, as this was a rent to own agreement, that the tenant did not fulfill their obligations and the manufacture home was sold.

In this case, the application is claiming cost for making repairs that are related to purchasing a manufacture home under a rent to own agreement. Neither party provided me a copy of the agreement.

I find the repairs the applicant made are not repairs that would be done by a tenant, if there interest in the property were not greater than that of a tenant.

As the applicants interest was greater at the time than that of a tenant. I find there is no jurisdiction to hear this matter, as this is a dispute between a seller and a purchaser under a rent to own contract, which the tenant did not fulfill their obligation under that agreement. Therefore, I decline to hear the matter due to lack 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: August 1, 2017

---

Residential Tenancy Branch