



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MT

### Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. A hearing by telephone conference was held on November 6, 2017. The Tenants applied for the following relief, pursuant to the *Manufactured Home Park Tenancy Act* (the *Act*):

- more time to make an application to cancel the landlord's Notice to End Tenancy

One of the Tenants, B.G., attended the hearing and provided affirmed testimony. The Landlord did not attend the hearing. The Tenant stated that he personally gave the application package, including the Notice of Hearing, to the Landlord on September 6, 2017. However, I note the Tenants did not file their application for dispute resolution until September 12, 2017, and the application package was not made available to the Tenants until September 14, 2017. Since the application package the tenant says he served to the Landlord on September 6, 2017, was not created until September 14, 2017, I am unclear which documents he served to the Landlord, and when.

Based on the evidence before me, I am not satisfied that Landlord has been sufficiently served with the Tenants' application package and I am not satisfied he was made aware of the proceedings today. As such, I dismiss the Tenants' application in full, with leave to reapply.

Further, the Tenant stated that he has now moved off of the property and by filing this application, he was simply looking for more time to move the rest of his belongings that he left behind in and around the area where he had his mobile housing unit. As stated in the hearing, I encourage the Tenant to talk with the Landlord about a mutually acceptable time for him to pick up the rest of his belongings. Pursuant to section 58(1)(e) of the *Act*, the Landlord should allow for the return of the Tenants belongings. Should the Tenants be unable to get their belongings back, they are at liberty to reapply

to the Residential Tenancy Branch for resolution on this matter, or to call our office for further information.

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: November 06, 2017

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Residential Tenancy Branch