



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PARKBRIDGE
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants for repairs made to the site.

Both parties appeared.

This matter commenced on October 19, 2017 and was adjourned to today's date. The interim decision should be read in conjunction with this decision.

Preliminary issue

In this case, the tenant filed in their evidence a monetary worksheet claiming the amount of \$25,000; however, that was not an issue listed in their application and their application was not amended. Therefore, the only issue for me to determine is whether the landlord should be ordered to make repairs to the site.

Issue to be Decided

Should the landlord's be order to make repairs to the site?

Background and Evidence and Analysis

The tenancy commenced in 2012.

The landlord's advocate testified that since the last hearing measures were taken to reduce and redirect any surface water that may have affected the subject site. The advocate stated there have been no further complaints by the tenant.

The landlord's advocate testified that the engineers are working on a long term solution that affects the entire manufactured home park

The tenant argued that they want the landlord to repair the damage to the inside of their home as they drywall is cracking, and there is mould and rot underneath their home.

The landlord's advocated stated that they are not prepared to deal with these issues and in any event the drywall is most likely cracking because drywall should not be installed in a manufactured home as it does not provide the flexibility and is too heavy. The advocate stated that any mould issue is likely a result of not maintaining the skirting over the years, as it was not vented until recently.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

Landlord and tenant obligations to repair and maintain

26 (1) A landlord must

- (a) provide and maintain the manufactured home park in a reasonable state of repair, and
- (b) comply with housing, health and safety standards required by law

In this case, I am satisfied that the landlord has taken reasonable steps to redirect any surface water that is affecting the subject site as the tenant has not brought any concerns to the landlord since the work was completed.

Further, the landlord has obtained an engineer's site plan with the proposal for drainage for the entire manufacture home park, which is reasonable, as the entire property must be considered to ensure that when redirecting surface water that it does not impact another area. Therefore, I find the landlord is taking reasonable steps to maintain the manufacture home park and I find it not necessary to make any orders.

Conclusion

The landlord is taking reasonable steps to comply with section 26 of the Act. Therefore, I find it not necessary to make orders at this time. The tenant's application is dismissed.

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: January 11, 2018

Residential Tenancy Branch