



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MAPLEPOOL CAMPGROUND INC.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, OLC, PSF

### Introduction

On April 6, 2018, the Tenants submitted an Application for Dispute Resolution under the *Manufactured Home Park Tenancy Act* ("the Act") asking to cancel a 1 Month Notice To End Tenancy For Cause that was issued on March 31, 2018.

The matter was set for a conference call hearing at 11:00 a.m. on this date. The Landlords attended the hearing; however, the Tenants / applicants did not. The line remained open while the phone system was monitored for ten minutes and the Tenants did not call into the hearing during this time. Therefore, as the Applicants did not attend the hearing by 11:10 am, I dismiss their application without leave to reapply.

The Landlord provided affirmed testimony and was provided the opportunity to present evidence orally and in written and documentary form, and make submissions to me. In this decision I only describe the evidence relevant to the issues and findings in this matter.

### Issue to be Decided

- Are the Landlords entitled to an order of possession for the rental site?

### Background and Evidence

The Landlord testified that the Tenant moved onto the property approximately two years ago. The Tenant is to pay rent in the amount of \$350.00 by the first day of each month. Rent for June 2018, has been paid.

### 1 Month Notice to End Tenancy for Cause

The Landlord testified that a 1 Month Notice to End Tenancy for Cause ("the 1 Month Notice") was served to the Tenant by hand on March 31, 2018.. The Landlord indicated the following reason for ending the tenancy on the Notice:

Tenant or a person permitted on the property by the Tenant has:

- Significantly interfered with or unreasonably disturbed another occupant or the Landlord
- Seriously jeopardized the health or safety or lawful right of another occupant or the Landlord

The Tenants disputed the 1 Month Notice within the applicable timeframe but failed to attend the hearing.

The Landlords requested an order of possession for the rental site.

### Analysis

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

The Tenants applied for Dispute Resolution to cancel a 1 Month Notice to End Tenancy but failed to attend the hearing. Therefore, I dismiss the Tenant's Application to cancel the 1 Month Notice dated March 31, 2018.

Under section 48 of the Act, when a Tenants application to cancel a Notice to end tenancy is dismissed and I am satisfied that the Notice to end tenancy complies with the requirements under section 45 regarding form and content, I must grant the Landlord an order of possession.

I find that the 1 Month Notice issued by the Landlords meets the requirements for form and content.

The Landlords testified that the site rent for June 2018, has been paid and they requested the order of possession for the site to be effective for the end of June 2018.

I find that the Landlords are entitled to an order of possession effective at 1:00 pm on June 30, 2018, after service on the Tenants. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The Tenants failed to attend the hearing. The Tenant's application to cancel the 1 Month Notice is dismissed without leave to reapply. The Landlords are granted an order of possession for the rental site effective June 30, 2018.

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: June 11, 2018

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Residential Tenancy Branch