



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, ERP, LRE, MNDC, MNR, OLC, PSF, RR, FF

This hearing was convened in response to an application by the Tenants pursuant to the *Manufactured Home Park Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy for unpaid rent - Section 39;
2. An Order for emergency repairs - Section 27
3. An Order suspending or setting conditions on the Landlord’s right to enter the rental unit – Section 63;
4. A Monetary Order for compensation or loss - Section 60;
5. A Monetary Order for the cost of emergency repairs - Section 60;
6. An Order for the Landlord’s compliance - Section 55;
7. An Order for the Landlord to provide services or facilities required by law - Section 58; and
8. An Order for a rent reduction - Section 58; and
9. An Order to recover the filing fee for this application - Section 65;

Both Parties appeared at the hearing. At the onset of the hearing the Tenant’s Legal Counsel sought an adjournment in order to gather specific and appropriate evidence. Legal Counsel indicates that the evidence gathered to date was not done with needed guidance and that the issues are not clear with the current evidence. The Parties confirm that no notice to end tenancy for unpaid rent was ever served on the Tenants. Legal Counsel submits that claims for emergency repairs are in relation to the electrical system that works but not properly.

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure provides that all claims in an application must be related to each other. Section 27(1) of the Act provides that **"emergency repairs"** means repairs that are

- (a) urgent,
- (b) necessary for the health or safety of anyone or for the preservation or use of property in the manufactured home park, and
- (c) made for the purpose of repairing, inter alia, the electrical systems.

The application sets out a primary claim in relation to the end of the tenancy. There is no notice to end tenancy for unpaid rent to dispute and I therefore dismiss the claim to cancel such a notice. I consider a request for an adjournment to be contrary to a finding of urgency in relation to the claim for emergency repairs. As the claims in addition to the claim for a cancellation of the notice to end tenancy are not related to the primary issue of whether the tenancy ends and given the reasons for the request for an adjournment, I decline to grant the adjournment. Instead I dismiss the remaining claims with leave to reapply.

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 07, 2018

Residential Tenancy Branch