



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **INTERIM DECISION**

On September 23, 2020 the landlord submitted an Application for Dispute Resolution (the “Application”) requesting allowance to assign or sublet the rental unit, where the landlord’s permission was unreasonably withheld. Additionally, they applied for an order that the landlord comply with the legislation and/or tenancy agreement, and reimbursement of the Application filing fee. The matter proceeded by way of a hearing pursuant to section 67(2) of the *Manufactured Home Park Tenancy Act* (the “Act”) on November 23, 2020.

In the conference call hearing I explained the process and offered each party the opportunity to ask questions. The tenant and the landlord attended the hearing.

The landlord confirmed receipt of the Notice of Dispute Resolution. At the outset I determined that the landlord’s evidence did not arrive to the Residential Tenancy Branch system. The landlord provided that they uploaded their documentary evidence to this branch’s case management system on November 13, 2020. The tenant confirmed they received the landlord’s evidence, albeit with a questionable means of service. The landlord stated they received only two of four pieces of the tenant’s prepared evidence.

I adjourned the matter to allow a proper review on the precise location of the landlord’s evidence. After the hearing, I located the landlord’s evidence in its entirety, as it was described by the landlord in the hearing.

This adjournment does not afford either party the chance to make further submissions in this matter or amend the submissions they have already provided. Although the landlord made a request that the tenant provide page numbers on their submissions, the opportunity for this has passed and submissions on this matter will rest as is.

The tenant provided three registered mail tracking numbers in their evidence in advance of the hearing. This is for three separate packages: the first posted on September 28 and delivered on October 2; the second sent October 13 delivered October 19; and the third sent October 31 delivered November 6. The tenant provided that they sent their fourth package to the landlord on November 14, 2020. The first item to review in the

reconvened hearing will be ensuring the landlord received the tenant's evidence for this hearing.

A Notice of Dispute Resolution is attached for December 3, 2020 at 11:00 a.m. This contains the date and time of the next hearing and the access information for the telephone conference call. The parties are cautioned that a failure to attend the reconvened hearing may result in the hearing proceeding in their absence.

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 23, 2020

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Residential Tenancy Branch