



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP

Introduction and Preliminary Matters

On January 13, 2021, the Tenant applied for a Dispute Resolution proceeding seeking a repair Order pursuant to Section 26 of the *Manufactured Home Park Tenancy Act* (the “Act”).

On January 13, 2021, this Application was set down for a hearing on April 12, 2021 at 1:30 PM.

The Tenant attended the hearing at 1:41 PM, just prior to me concluding the hearing due to non-attendance. A.T. also attended the hearing as an advocate for the Tenant; however, the Landlord did not make an appearance at any time during the 23-minute teleconference. All parties in attendance provided a solemn affirmation.

The Tenant advised that he did not serve the Notice of Hearing package to the Landlord. Based on this undisputed testimony, as the Tenant did not serve this package in accordance with Section 82 of the *Act*, or Rule 3.1 of the Rules of Procedure, I am not satisfied that the Landlord was served with the Notice of Hearing package. As well, he indicated that the tenancy has already ended. As such, I dismiss the Tenant’s Application for a repair Order without leave to reapply.

Conclusion

As the Notice of Hearing package was not served to the Landlord pursuant to Section 82 of the *Act*, or in accordance with the timeframe requirements of Rule 3.1 of the Rules of Procedure, I dismiss the Tenant’s Application without 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: April 12, 2021

Residential Tenancy Branch