



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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

DECISION

Dispute Codes MNDCT FFT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution (application) seeking remedy under the *Manufactured Home Park Tenancy Act* (Act). The tenants applied for a monetary claim of \$4,050.00 for money owed or compensation under the Act, regulation or tenancy agreement and to recover the filing fee.

The hearing began on November 18, 2021, and attending the first hearing were the tenant and the owners of the campground, CD and MD (owners). After 57 minutes, the hearing was adjourned to allow additional time for the parties to present their evidence as jurisdiction was the first issue the parties were advised that I would be dealing with, to determine whether the Act applied to the living arrangement before me. An Interim Decision was issued dated November 18, 2021, which should be read in conjunction with this decision.

On this date, March 11, 2022, at 9:31 a.m. Pacific Time, the hearing resumed with only the owners present. Both parties were emailed a copy of the Notice of a Dispute Resolution Hearing dated November 19, 2021, which set the adjourned hearing date for this date, March 11, 2022 at 9:30 a.m. Pacific Time. In addition, both parties were sent a reminder email on March 8, 2022 at 4:30 a.m. Pacific Time to remind the parties of the upcoming hearing on March 11, 2022. The tenant, however, did not attend the hearing set for this date, March 11, 2022 at 9:30 a.m. Pacific Standard Time. The phone line remained open for 10 minutes and was monitored throughout this time.

After the mandatory 10-minute waiting period, the tenants' application was **dismissed without leave to reapply** in accordance with Rule 7.1 and Rule 7.3 of the Residential

Tenancy Branch (RTB) Rules of Procedure (Rules), which address consequences for not attending a dispute resolution hearing.

As the tenant's application was dismissed in full, I do not grant the filing fee.

Conclusion

The application is dismissed without leave to reapply as the tenants did not attend the reconvened hearing to present the merits of their application.

I make no finding on jurisdiction as result. I do not grant the filing fee as noted above.

This decision will be emailed to both parties.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: March 11, 2022

Residential Tenancy Branch