



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding TIMBERLAND TRAILER PARK LTD. and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      LRE, CNC, OLC, FFT

### Introduction

This hearing was convened by way of conference call in response to two Applications for Dispute Resolution filed by the Tenant on January 13 and 24, 2022 (the “Applications”). The Tenant applied as follows on both Applications:

- To suspend or set conditions on the Landlord's right to enter the site
- To dispute a One Month Notice to End Tenancy for Cause (the “Notice”)
- For an order that the Landlord comply with the Act, regulation and/or the tenancy agreement
- To recover the filing fee

The Tenant appeared at the hearing. Nobody appeared at the hearing for the Landlord. I explained the hearing process to the Tenant. I told the Tenant they are not allowed to record the hearing pursuant to the Rules of Procedure (the “Rules”). The Tenant provided affirmed testimony.

### Service

Both parties submitted evidence prior to the hearing. I addressed service of the hearing packages.

The Tenant testified that the hearing package for the file ending 9794 was not served on the Landlord. Given this, file ending 9794 is dismissed with leave to re-apply; however, this decision does not extend any time limits set out in the *Manufactured Home Park Tenancy Act* (the “Act”).

The Tenant testified that the hearing package for the file ending 9065 was sent to the Landlord by email on January 29, 2022. The Tenant testified that they paid rent by e-transfer to this email address, the Landlord served the Notice through this email address and the Landlord sent their evidence for the hearing from this email address.

Based on the undisputed testimony of the Tenant, I am satisfied pursuant to section 64 of the *Act* that the hearing package for file ending 9065 was sufficiently served on the Landlord. In coming to this decision, I have considered section 82(1)(f) of the *Act* as well as section 59(2) of the *Manufactured Home Park Tenancy Regulation* (the "*Regulations*"). I am satisfied the Tenant was permitted to serve the Landlord by email because I accept the undisputed testimony of the Tenant that the parties communicated by email about tenancy matters. I am satisfied based on the undisputed testimony of the Tenant that the hearing package was served January 29, 2022. I find pursuant to section 64 of the *Act* that the Landlord received the hearing package February 01, 2022. In coming to this decision, I have considered section 60 of the *Regulations*. I also find the Tenant complied with rule 3.1 of the Rules in relation to the timing of service.

#### Withdrawal

The Tenant sought to withdraw the file ending 9065. I allowed the Tenant to withdraw the file ending 9065 because the Tenant appeared at the hearing, I was satisfied the Landlord was served with the hearing package and nobody appeared at the hearing for the Landlord.

The file ending 9065 is withdrawn at the request of the Tenant.

#### Conclusion

The file ending 9065 is withdrawn at the request of the Tenant.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: April 12, 2022

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Residential Tenancy Branch