



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, RP, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the *Manufacture Home Park Tenancy Act* (the “Act”) to have the landlord comply with the Act, to make repairs to the site and to recover the cost of the filing fee.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

Issue(s) to be Decided

Should the landlord be ordered to comply with the Act?
Should the landlord be ordered to make repairs to the site?

Background and Evidence

The tenancy began on September 1, 2019. Rent in the amount of \$358.17.

The tenant testified that every other year they have had to level their manufactured home because they are on soft ground. The tenant stated the purchased the home through an estate sale and the home was constructed in 1994.

The landlord testified that there are no issues with any manufacture home sites and they are not on soft ground. The landlord stated that they believe that it is an issue with the tenant’s manufacture home not properly braced.

The landlord’s agent JS testified that they live right next to the tenants’ site, and they see no issues with the site, and it is well drained.

The landlord's agent BB testified that the site does consist of concrete pads, and this could be an issue with the tenants or previous tenant not having the manufacture home properly stabilized.

The landlord testified they have not inspected the site and are willing to attend the site on July 22, 2022, between 10 am and 12pm (noon) to inspect the concrete pads.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

In this case, the tenant has not provided sufficient evidence to support that the site pads are the cause of their manufacture home being unlevel. The manufacture home is 27 years old, and this could be normal wear, due to the aging process of the home or wear and tear on the structure holding up the manufactured home, which is the tenant's responsibility to repair. The tenant has provided no photographs or any other documents to support the site pads are sinking which would be the landlord's responsibility to repair. Therefore, I dismiss the tenants' application.

However, the landlord has agreed that they will attend the site on July 22, 2022, between 10 am and 12pm (noon) so they can inspect the site pads. The tenant agreed to the date and time. The tenant is to ensure that they have the site prepared for the inspection to give access to the pads underneath the manufactured home.

Conclusion

The tenant's application is dismissed.

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: July 12, 2022

Residential Tenancy Branch