



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## DECISION

Dispute Codes      CNC DRI MNDCT FFT

### Introduction and Analysis

This hearing dealt with the tenants' Application for Dispute Resolution (application) seeking remedy under the *Manufactured Home Park Tenancy Act* (Act) for a monetary order in the amount of \$250 for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, to cancel a 1 Month Notice to End Tenancy for Cause (1 Month Notice), to dispute a rent increase, and to recover the cost of the filing fee.

The tenants attended the teleconference hearing. The tenants were affirmed, and the tenants first confirmed that they did not serve the landlord with the documents containing the access codes for the hearing and stated that they did not know they had to and assumed the Residential Tenancy Branch (RTB) would serve the other party. Later in the hearing, the tenants then stated that they were confused at the word "application" and had served the landlord but could not recall the date when the landlord was served.

The landlord did not attend the hearing. Both parties have the right to a fair hearing. Due to the conflicting testimony from the tenants I am not satisfied that the landlord was served with the Notice of a Dispute Resolution Hearing, which also contains the tenants' application. Furthermore, the tenants confirmed that they have since vacated the rental site since filing their application in October 2022.

Given the above, I **dismiss** the tenants' application **with leave to reapply** due to a service issue.

I do not grant the filing fee due to the service issue.

### Preliminary and Procedural Matter

The tenants confirmed their email address and stated that they were not aware of the landlord's email address. As a result, the decision will be emailed to the tenants and sent by regular mail to the landlord.

### Conclusion

The tenants' application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to the tenants and sent by regular mail to the landlord.

The filing is not granted due to the service issue.

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: February 23, 2023

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Residential Tenancy Branch