



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

A matter regarding CAPREIT LIMITED PARTNERSHIP and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNRL, FFL

### Introduction

On February 21, 2023, the landlord applied for (i) an order of possession on an undisputed notice to end tenancy for unpaid rent (the “Notice”) under section 48 of the *Manufactured Home Park Tenancy Act* (the “Act”), (ii) a monetary order for unpaid rent under section 48 of the Act, and (iii) authorization to recover the filing fee under section 65 of the Act.

The tenant attended the hearing. No one dialled in on behalf of the landlord at any point during the hearing, which lasted from 9:30 A.M. to 9:42 A.M.

As the onus is on the landlord to prove the validity of the Notice and the landlord has not attended the hearing to substantiate the Notice, I am cancelling the Notice.

### Conclusion

The landlord’s application is dismissed 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 Act.

Dated: March 31, 2023

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Residential Tenancy Branch