



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes RP MNRT MNDCT OLC FFT

Introduction

This dispute relates to the tenant's Application for Dispute Resolution (application) seeking remedy under the *Manufactured Home Park Tenancy Act* (Act) for the following:

- Shut-off valve repair to the main water line,
- \$780.96 for cost of emergency repairs,
- Order directing landlord to comply with the Act, Regulation or tenancy agreement,
- \$100 for filing fee.

The parties listed on the cover page of this decision attended the teleconference hearing. The parties were affirmed and were provided the opportunity to present any documentary evidence that was submitted in accordance with the Residential Tenancy Branch (RTB) Rules of Procedure (Rules).

Neither party raised any service issues during the hearing.

Preliminary and Procedural Matters

RTB Rule 2.3 authorizes me to dismiss unrelated disputes contained in a single application. In this circumstance the tenant indicated several matters of dispute on the application, the most urgent of which is the application for repairs to the water shut-off valve and is why the hearing was scheduled as an expedited hearing. I find that not all the claims on the application are sufficiently related to be determined during this proceeding. I will, therefore, only consider the tenant's request for repairs and the filing fee at this proceeding. The balance of the tenant's application is dismissed, with leave to re-apply.

Issues to be Decided

- Should repairs be ordered under the Act?
- What should happen with the filing fee?

Background and Evidence

The parties confirmed that in December 2022, the main water shut-off valve to the manufactured home (Home) required replacement due to corrosion. The parties also agreed that a plumber was called out and that it was determined to be too cold (-20 degrees Celsius) to repair the water line in December 2022.

The landlord confirmed that the water shut-off valve has not been replaced as of the date of the hearing, June 6, 2023. The landlord stated that the only workaround was to call the district to have them turn off the water to the entire manufactured home park.

The parties were advised that due to the weather being warm as of the date of the hearing, that I would be ordering the landlord, at their cost, to repair the water shut-off valve, which I will set out below.

Analysis

Based on the above, the testimony of the parties and the documentary evidence presented, and on a balance of probabilities, I find as follows.

- Should repairs be ordered under the Act?

Firstly, I find section 26(1)(a) of the Act requires that the landlord must provide and maintain the manufactured home park in a reasonable state of repair. I find that a corroded main water shut-off valve is neglectful and are the responsibility of the landlord to maintain. Further, I find that all costs to repair the main water shut-off valve are the responsibility of the landlord. I find that the landlord's alternative by having the district shut off water to the entire manufactured home park to be unreasonable and would result in a disruption to the remainder of the entire manufactured home park.

Therefore, pursuant to section 55(3) of the Act, I make the following order against the landlord:

I ORDER the landlord, at their expense, to have a certified plumber attend the rental site and install a new water shut-off valve **no later than June 23, 2023 by 4:00 PM.**

Should the landlord fail to comply with my order, the tenant may report the landlord to the RTB Compliance and Enforcement Unit located at the following website:

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/compliance-and-enforcement>

- What should happen with the filing fee?

Given the above, I find the tenant's application has merit. Therefore, I grant the tenant a one-time rent reduction of **\$100** from a future month of rent, in full satisfaction of the recovery of the cost of the filing fee.

Conclusion

The tenant's application has merit. The landlord must repair at their own cost the main water shut-off valve at the rental unit, which has been ordered to be done no later than June 23, 2023 at 4:00 PM. The tenant has been authorized to deduct \$100 from a future month of rent in full satisfaction of the filing fee.

This decision will be emailed to the landlord and sent via regular mail to the tenant as the tenant does not use email.

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: June 6, 2023

Residential Tenancy Branch