



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing

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DECISION

Dispute Codes ERP FFT

Introduction

The Tenant made an application for dispute resolution under the *Manufactured Home Park Tenancy Act* (the “Act”) seeking an order for emergency repairs. The Tenant also sought to recover the cost of their application fee.

Preliminary Issue: Emergency Repairs Completed

Both parties confirmed that the emergency repairs that instigated the Tenant’s application have been dealt with and completed. As such, any order for emergency repairs at this point would be unnecessary because the issue is moot. The Tenant’s application is accordingly dismissed. (Similarly, I declined counsel’s request for an adjournment; there was, quite frankly, no reason to do so.)

Emergency Repairs Generally

The Tenant expressed frustration with my limited ability to address her concerns regarding the cost of having the repairs completed. She explained that she is out \$3,600 and that the Landlord has issued a notice to end tenancy for unpaid rent. As I tried to explain to the Tenant, my role and decision-making authority is limited to the claims brought in the application. To reiterate: an arbitrator may only decide whether to grant an order for emergency repairs, and nothing else. (See also Rule 2.2 of the *Rules of Procedure*, which states that “The claim is limited to what is stated in the application.”)

However, if the Tenant believes that she is entitled to compensation for costs that she made to have the repairs carried, she is at liberty to make an application for dispute resolution to the Residential Tenancy Branch seeking compensation.

The Tenant is referred to [sections 27\(5\) and 27\(6\)](#) of the Act for reimbursement for costs related to emergency repairs and so forth. She may also contact the Residential Tenancy Branch for more information on her rights under the Act.

Conclusion

The application is dismissed.

This decision is made on authority delegated under section 9.1(1) of the Act.

Dated: July 7, 2023

Residential Tenancy Branch