



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC RR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to obtain a Monetary Order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, an Order to allow the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided, and to recover the cost of the filing fee from the Landlord for this application.

No one was in attendance for the applicant Tenant however the respondent Landlord appeared at the hearing.

Issue(s) to be Decided

- 1) Has the Landlord breached the *Manufactured Home Park Tenancy Act*, regulation or tenancy agreement?
- 2) If so, has the Tenant met the burden of proof to obtain Orders as a result of that breach?

Background and Evidence

There was no additional evidence or testimony provided in support of the landlord's claim as no one attended on behalf of the landlord.

Analysis

Section 54 of the *Manufactured Home Park Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing. In the absence of the applicant Tenant, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenant called into the hearing during this time. Based on the aforementioned I find that the Tenant has failed to present the merits of her application and the application is dismissed.

Conclusion

I HEREBY DISMISS the Tenant's application, 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 *Manufactured Home Park Tenancy Act*.

Dated: July 19, 2011.

Residential Tenancy Branch