



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STONECLIFF PROPERTIES LTD. and STONECLIFF PARKS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing was convened as a result of the applicants' application seeking remedy under the *Manufactured Home Park Tenancy Act* (the "Act"). The applicants applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "10 Day Notice").

An agent for the respondent "DM", and the applicants, "SM", "MV", and their advocate, "UK" attended the hearing. The third applicant, "GA" was not present at the hearing. The parties were affirmed at the outset of the hearing.

Preliminary and Procedural Matters

As applicant "GA" did not attend the hearing, and due to insufficient evidence from the applicants to prove that they were acting on behalf of third party applicant "GA" and that "GA" was aware of the hearing, I am not satisfied that applicant "SM" or "MV" were acting on behalf of "GA". Therefore, I have removed "GA" from the Application for Dispute Resolution pursuant to section 57(3) of the *Act*.

"UK", the advocate for applicants "SM" and "MV", requested to join a hearing scheduled for June of 2014 to be heard at the same time as the matter before me. I declined the request of "UK" as information regarding that upcoming hearing was not properly before me and there was an issue before me regarding jurisdiction, which will be described further below.

Evidence and Conclusion

Applicant "SM" testified under oath that there was no tenant and landlord relationship between the applicants and the named respondent. Furthermore, "SM" confirmed that

the 10 Day Notice was issued against tenant, "SS", who was not named in the applicants' application for dispute resolution before me.

Given the above, I **decline jurisdiction** to resolve this dispute as I am satisfied that the applicants and the respondent do not have a tenant and landlord relationship pursuant to section 6(1) of the *Act*. This is supported by the testimony of applicant "SM" during the hearing.

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: May 1, 2014

Residential Tenancy Branch

