



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding TOWN & COUNTRY MOTEL & TRAILER PARK  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes**

CNR

### **Introduction**

This hearing dealt with an application under the *Manufactured Home Park Tenancy Act* by the tenant to cancel a Notice to End Tenancy for Unpaid Rent (the Notice), dated May 16, 2014, and for the landlord to comply with the Act. The tenant testified their application was restricted to the above. As a result, the balance of the tenant's application is preliminarily dismissed.

Both parties attended and participated in the hearing.

### **Issue(s) to be Decided**

Should the Notice to End dated August 02, 2012 be set aside ?  
Should the landlord be Ordered to comply with the Act ?

### **Background and Evidence**

The parties agreed the tenant paid their rent in full. The parties agreed the tenant was given an invalid Notice to End. The parties agreed that the landlord has entered the manufactured home site without authority as permitted under Section 23 of the Act and the landlord was apprised of the landlord's right to enter the manufactured home site is restricted to the conditions prescribed by the Act; and confirmed their understanding.

### **Analysis**

On preponderance of the evidence before me I find the landlord's Notice to End is invalid. **I Order** the Notice to End dated May 16, 2014 is of no effect. If necessary, the landlord is at liberty to issue another new Notice to End for *valid* reasons.

I am satisfied that the landlord understands their right to enter the manufactured home site and the limitations under the Act. As a result, I find it is not necessary to Order the landlord to Comply with the Act. The tenant is at liberty to reapply for dispute resolution should the landlord fail to comply with Section 23 of the Act.

### **Conclusion**

The tenant's application is granted. The landlord's Notice to End dated May 16, 2014 is **set aside and of no effect**. The tenancy continues.

The balance of the tenant's application is dismissed.

**This Decision is final and binding on both parties.**

*This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Residential Tenancy Act.*

Dated: July 14, 2014

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Residential Tenancy Branch

