



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

matter regarding Lombardy Management Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, MNDC, ERP, RP, RPP, AAT, LAT, AS, RR

Introduction

This hearing dealt with an Application for Dispute Resolution seeking a monetary order and several orders to compel the respondent take specific actions.

The hearing was conducted via teleconference and was attended by the applicant, his two advocates; and an agent for the respondent.

At the outset of the hearing, I confirmed with the parties that I had been the arbitrator who adjudicated the last hearing between these two parties, the file number is noted on the cover page of this decision. That hearing and its subsequent decision were dated January 10, 2017.

In that hearing and decision I determined that, based on the contract between the two parties, the *Manufactured Home Park Tenancy Act (Act)* did not apply to their contract and I declined jurisdiction.

At the outset of this hearing, I asked the applicant if he understood how that previous decision impacted this Application. He understood that he was to go elsewhere for adjudication. He indicated that he thought he had to go to Supreme Court, I advised that he should consult legal counsel to determine the appropriate venue for any disputes that arise between him and the respondent.

Issue(s) to be Decided

The issues to be decided are whether the applicant is entitled to orders to have the respondent make repairs, emergency repairs, return personal property; allow unfettered access; allow for subletting or assignment; and a rent reduction, pursuant to Sections 24, 26, 27, 28, 58, 60, 63, 65 of the *Act*.

Conclusion

Based on the January 10, 2017 decision regarding a different dispute between these parties, I decline to hear matters set forward in this Application for Dispute Resolution for want of jurisdiction.

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: January 17, 2017

Residential Tenancy Branch