



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding RON CHAMBERS KKBL VENTURES DBA WILDWOOD MOBILE HOME PARK
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes DRI, OLC, FF

Introduction

This hearing dealt with the tenants' applications pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 55;
- a determination regarding their dispute of an additional rent increase by the landlord pursuant to section 43;
- authorization to recover his filing fee for this application from the landlord pursuant to section 70.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed the tenants served the landlord with the notice of hearing package and the submitted documentary evidence in person on November 22, 2019. Both parties also confirmed the landlord served the tenants with the submitted documentary evidence in person on January 10, 2020.

I accept the undisputed affirmed evidence of both parties and find that both parties have been sufficiently served as per sections 88 and 89 of the Act.

Preliminary Issue(s)

At the outset, the tenants' agent, G.G. (the tenants) provided clarification regarding the 11 joined applications. The tenants stated the request for the landlord to comply was a duplicate request concerning the landlord obeying the Act regarding the dispute of a rent increase. As such, this portion of the application requires no further action. Extensive discussions with both parties over a 72 minute period resulted in the tenants'

application being dismissed with leave to reapply. The tenants understanding of what they were seeking was unclear and undetailed in their application for dispute. The tenants seek clarification on the legislation regarding rent increases. The tenants stated that this is not a dispute of an application filed by the landlord for an additional rent increase nor that this is not a dispute of rent increase after receiving a notice of rent increase from the landlord. The tenants stated that this was for something different. The landlord has argued that based on their understanding of the application they believe the tenants wish to argue that after entering into a new tenancy agreement, the tenants believe that this is an illegal rent increase by the landlord as it does not conform with the set rents for others in the “park”. The tenants disputed that this was not their dispute. Discussions with both parties continued, but the tenants have failed to provide sufficient clear details of their application to proceed with this hearing. On this basis, the tenants’ application was dismissed with leave to reapply when they can properly articulate the details of their claim.

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 23, 2020

Residential Tenancy Branch