



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding RJ DE ATH ESTATES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, AS, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Manufactured Home Park Tenancy Act* (the *MHPTA*) for:

- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 55;
- an order allowing the tenant to assign or sublet because the landlord's permission has been unreasonably withheld pursuant to section 58; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 65.

Both parties participated in the teleconference and were given a full opportunity to be heard. The parties gave affirmed evidence and confirmed that they had exchanged their documentary evidence.

At the outset of the hearing LV testified that she owns the home on the site and that she rents out the home. LV testified that the owner of the park has made the park residents aware that they are considering banning any future sublets or assignments. LV testified that her tenants are not moving out and is not requesting permission to sublet at this time but has made this application for any future requests. JD testified that he is open to discussions about this issue with the tenants. It was explained to the parties that the Branch is unable to address "what if's" or hypothetical situations that could arise in the future. I find that the tenant has filed this application prematurely as there is not an issue requiring dispute resolution services, accordingly; I dismiss this application in its entirety without leave to reapply.

Conclusion

The tenant's application is dismissed in its entirety 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: January 18, 2021

Residential Tenancy Branch