



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC, LRE, OLC

Introduction

The Applicant filed for dispute resolution (the “Application”) on October 7, 2020, seeking the following:

- cancellation of the One-Month Notice To End Tenancy for Cause (the “One-Month Notice”) signed by the Landlord on September 30, 2022
- restriction or suspension of the Landlord’s right to enter
- an order that the Landlord comply with the *Act*, regulation and/or the tenancy agreement.

The matter proceeded by way of a conference call hearing pursuant to s. 67(2) of the *Manufactured Home Park Tenancy Act* (the “*Act*”) on November 18, 2022 and reconvened on January 23, 2023. In the conference call hearings, I explained the process and offered the attending party the opportunity to ask questions.

The parties confirmed they received service of the other’s documents in a timely manner prior to the initial hearing. I reconvened the matter to hear fulsome submissions, and the presentation of documented evidence on whether the parties had a tenancy agreement between them.

Preliminary Matters

While the Tenant applied to cancel the end-of-tenancy notice issued by the Landlord, they moved out from the rental unit space prior to the scheduled hearing date of November 18, 2022. In the reconvened hearing, both parties confirmed that the Tenant moved out on November 14, 2022.

Given that the tenancy has ended, the validity of the One-Month Notice is not at issue. There is also no need for a decision on the Landlord's right to enter, or the Landlord's compliance with the *Act*/tenancy agreement. These are not ongoing issues where there is no ongoing association between the parties.

Because I am not resolving the core issue – that of an end of tenancy – I do not examine whether there is a tenancy relationship governed by the *Act*. I make no consideration of whether the RV on wheels owned by the Applicant fits the definition of “manufactured home” in the *Act*.

The Landlord queried on whether the tenancy ending entails the Tenant removing their RV from the manufactured home park. They noted the Tenant had no paid rent for the manufactured home site since they vacated on November 14, 2023.

That is a separate issue of compensation, as claimed by the Landlord. Compensation to the Landlord for rent amounts or other money owing was not within the scope of this hearing, which dealt with the Tenant's Application. I decline to consider any matter of compensation to the Landlord, which would require a separate application to the Residential Tenancy Branch for resolution if necessary.

Conclusion

For the reasons above, I dismiss the immediate issue of the Notice cancellation as well as the two subsidiary issues that would be relevant only to an ongoing agreement.

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

Dated: February 14, 2023

Residential Tenancy Branch