



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

This hearing was reconvened following hearings on May 29, July 11 and on August 21, 2023. This decision should be read in conjunction with the interim decisions made at the previous hearings.

Both the landlord and tenant were represented by their respective counsel at today's hearing on October 10, 2023. Counsel for the tenants provided a *Transfer Verification Manufactured Home Registry* as evidence that the manufactured home has now been registered to the applicant, R.L., effective September 11, 2023. Landlord's counsel acknowledges receipt of this document.

The issues identified in both parties' cross applications was whether to uphold or cancel the notices to end tenancy issued to the tenant, D.J. Since D.J. is no longer the tenant occupying the site at the manufactured home park, I find the issue of whether to uphold or cancel the notices to end tenancy issued against him is now a moot point. Accordingly, I dismiss the tenant's application seeking to cancel the notices and I dismiss the landlord's application seeking to uphold them.

Landlord's counsel has acknowledged that the current tenant, R.L. is not in arrears in rent and I note that the landlord testified on May 29<sup>th</sup> that the outstanding rent noted on the 10 Day Notice to End Tenancy for Unpaid Rent/Utilities on November 10, 2022 has been paid. Consequently, I dismiss the landlord's application seeking a monetary order for unpaid rent.

The decision to order payment of the filing fee is discretionary upon the arbitrator and I decline to order that neither party's filing fees be recovered.

## **Conclusion**

Both applications are dismissed 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: October 10, 2023

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Residential Tenancy Branch