

## 12.6 Direct Request

A Direct Request is a procedure to process applications for orders of possession when a 10-Day Notice to End Tenancy for unpaid rent has been served and not contested. This procedure can only be used when an application is made in person at a Residential Tenancy Branch location or Service BC Centre and includes the required material.

RTB reviews the material and makes a decision without a participatory hearing.

To request a review of a Direct Request decision, the tenant must submit an application no later than two days after receiving the decision. Because there is no participatory hearing, fraud is the only reason that will be considered for a review of the decision.

## 12.7 One-Month Notice

The landlord can serve the tenant with a One-Month Notice to End Tenancy where:

- » The tenant:
  - Is repeatedly late paying rent
  - Has broken a material term and has not complied after receiving written notice from the landlord
  - Knowingly gave false information about the manufactured home park to a prospective tenant or purchaser
  - Assigned or sublet the manufactured home site without the landlord's consent
  - Was provided with a site as a condition of their employment and that employment has ended
  - Has not complied within 30 days with a RTB order
  - Has an unreasonable number of occupants living on the manufactured home site
  - Damaged the site over and above reasonable wear and tear and has not made repairs within a reasonable period
- » The tenants, guests or pets have:
  - Caused extraordinary damage or put the landlord's property at significant risk
  - Seriously jeopardized the health, safety or rights of the landlord or another occupant

- Significantly interfered with or unreasonably disturbed the landlord or another occupant
- Engaged in illegal activity that:
  - ~ Has caused or is likely to cause damage to the landlord's property
  - ~ Has affected or is likely to affect the quiet enjoyment, security, safety or physical well-being of other occupants in the park
  - ~ Has jeopardized or is likely to jeopardized a lawful right or interest of the landlord or other occupant of the park

A One-Month Notice must cover a full rental month.

**One-Month Notice example:** if rent is due on the first of the month and a notice is given on March 15, the notice would take effect on April 30th.

## 12.8 Twelve-Month Notice

The landlord must serve the tenant with twelve months notice where the landlord plans to convert all or a significant part of the park to a non-residential use or a residential use other than a manufactured home park. The landlord must have all required government permits and approvals in place before issuing the notice.

A Twelve-Month Notice must cover a full year. For example, a notice given on March 15 would not take effect until the last day of March of the following year.

A tenant that receives a Twelve-Month Notice can move out earlier than the date specified on the notice, unless the tenancy is for a fixed term. The tenant must give the landlord at least 10 days written notice and pay the rent up to the move-out date. Where the tenant has already paid a full month's rent, the landlord must refund the rent. When a landlord ends a tenancy for landlord's use of property, the landlord must give the tenant the equivalent of 12 month's rent on or before the move-out date.

If the sites are not used for the reasons given in the notice within a reasonable period, the tenants may apply for dispute resolution, asking for compensation equivalent to six months' rent. At the hearing, the landlord should be prepared to demonstrate there was an honest intent to convert at the time the notice was issued.