

- (b) not earlier than the last day the tenant is employed by the landlord, and
- (c) the day before the day in the month, or in the other period on which the tenancy is based, that rent, if any, is payable under the tenancy agreement.

(4) A notice under this section must comply with section 45 [*form and content of notice to end tenancy*].

(5) A tenant may dispute a notice under this section by making an application for dispute resolution within 10 days after the date the tenant receives the notice.

(6) If a tenant who has received a notice under this section does not make an application for dispute resolution in accordance with subsection (5), the tenant

- (a) is conclusively presumed to have accepted that the tenancy ends on the effective date of the notice, and

- (b) must vacate the manufactured home site by that date.

Landlord's notice: landlord's use of property

42 (1) Subject to section 44 [*tenant's compensation: section 42 notice*], a landlord may end a tenancy agreement by giving notice to end the tenancy agreement if the landlord has all the necessary permits and approvals required by law, and intends in good faith, to convert all or a significant part of the manufactured home park to a non-residential use or a residential use other than a manufactured home park.

(2) A notice to end a tenancy under this section must end the tenancy effective on a date that

- (a) is not earlier than 12 months after the date the notice is received, and

- (b) is the day before the day in the month, or in the other period on which the tenancy is based, that rent is payable under the tenancy agreement.

- (3) A notice under this section must comply with section 45 [*form and content of notice to end tenancy*].
- (4) A tenant may dispute a notice under this section by making an application for dispute resolution within 15 days after the date the tenant receives the notice.
- (5) If a tenant who has received a notice under this section does not make an application for dispute resolution in accordance with subsection (4), the tenant
- (a) is conclusively presumed to have accepted that the tenancy ends on the effective date of the notice, and
 - (b) must vacate the manufactured home site by that date.

Tenant may end tenancy early following notice under section 42

- 43** (1) If a landlord gives a tenant notice to end a tenancy under section 42 [*landlord's use of property*], the tenant may end the tenancy early by
- (a) giving the landlord at least 10 days' written notice to end the tenancy on a date that is earlier than the effective date of the landlord's notice, and
 - (b) paying the landlord, on the date the tenant's notice is given, the proportion of the rent due to the effective date of the tenant's notice, unless subsection (2) applies.
- (2) If the tenant paid rent before giving a notice under subsection (1), on receiving the tenant's notice, the landlord must refund any rent paid for a period after the effective date of the tenant's notice.
- (3) A notice under this section does not affect the tenant's right to compensation under section 44 [*tenant's compensation: section 42 notice*].

Tenant's compensation: section 42 notice

44 (1) A landlord who gives a tenant notice to end a tenancy under section 42 [*landlord's use of property*] must pay the tenant, on or before the effective date of the notice, the amount prescribed under section 89 (2) (q.1).

(2) In addition to the amount payable under subsection (1), if steps have not been taken to accomplish the stated purpose for ending the tenancy under section 42 within a reasonable period after the effective date of the notice, the landlord must pay the tenant the amount prescribed under section 89 (2) (q.2).

(3) The director may excuse the landlord from paying the tenant the amount required under subsection (2) if, in the director's opinion, extenuating circumstances prevented the landlord from accomplishing the stated purpose for ending the tenancy under section 42 within a reasonable period after the effective date of the notice.

Additional tenant's compensation: section 42 notice

44.1 (1) A tenant may make an application for dispute resolution to request an order for compensation in addition to the amount payable under section 44 (1) if

(a) a landlord gives the tenant notice to end a tenancy under section 42 [*landlord's use of property*],

(b) only in the circumstances prescribed in the regulations, the manufactured home is not capable of being moved before the tenant is required to vacate the manufactured home site at the end of the tenancy, and

(c) the most recent assessed value of the manufactured home, as determined under the [Assessment Act](#), is greater than the amount prescribed for the purposes of section 44 (1).

(2) If the director is satisfied that, in the circumstances prescribed for the purposes of subsection (1) (b), the

manufactured home is not capable of being moved before the tenant is required to vacate the manufactured home site at the end of the tenancy, the director may order the landlord to pay to the tenant compensation equivalent to the amount by which the most recent assessed value of the manufactured home, as determined under the *Assessment Act*, is greater than the amount prescribed for the purposes of section 44 (1).

Form and content of notice to end tenancy

45 In order to be effective, a notice to end a tenancy must be in writing and must

- (a) be signed and dated by the landlord or tenant giving the notice,
- (b) give the address of the manufactured home site,
- (c) state the effective date of the notice,
- (d) except for a notice under section 38 (1) or (2) [*tenant's notice*], state the grounds for ending the tenancy, and
- (e) when given by a landlord, be in the approved form.

Incorrect effective dates automatically changed

46 (1) If a landlord or tenant gives notice to end a tenancy effective on a date that does not comply with this Division, the notice is deemed to be changed in accordance with subsection (2) or (3), as applicable.

(2) If the effective date stated in the notice is earlier than the earliest date permitted under the applicable section, the effective date is deemed to be the earliest date that complies with the section.

(3) In the case of a notice to end a tenancy, other than a notice under section 38 (3) [*tenant's notice: landlord breach of material term*], 39 [*landlord's notice: non-payment of rent*] or 43 [*tenant may end tenancy early*], if the effective date stated in the notice is any day other than the day before the day in