

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 277

, Approved and Ordered

June 5, 2018




Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective June 6, 2018,

- (a) sections 1 to 5 and 12 of the *Tenancy Statutes Amendment Act, 2018*, S.B.C. 2018, c. 11, are brought into force, and
- (b) the *Manufactured Home Park Tenancy Regulation*, B.C. Reg. 481/2003, is amended as set out in the attached Schedule.



Minister of Municipal Affairs and Housing



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Tenancy Statutes Amendment Act, 2018*, S.B.C. 2018, c. 11, s. 14;
Manufactured Home Park Tenancy Act, S.B.C. 2002, c. 77, s. 89

Other: *OIC 1236/2003*

R20224812

SCHEDULE

- 1** *The Manufactured Home Park Tenancy Regulation, B.C. Reg. 481/2003, is amended by adding the following Part:*

PART 5.1 – TENANT’S COMPENSATION

Tenant’s compensation: notice under section 42 of the Act

- 33.1** (1) For the purposes of section 44 (1) of the Act, the amount of compensation payable by a landlord is \$20 000.
- (2) For the purposes of section 44 (2) of the Act, the amount of compensation payable by a landlord is the greater of
- (a) \$5 000, and
 - (b) the equivalent of 12 months’ rent payable under the tenancy agreement.

Additional tenant’s compensation: manufactured home is not capable of being moved

- 33.2** For the purposes of section 44.1 (1) (b) of the Act, the following circumstances must be satisfied:
- (a) the tenant is not able to
 - (i) obtain the necessary permits, licenses, approvals or certificates required by law to move the manufactured home, or
 - (ii) move the manufactured home to another manufactured home site within a reasonable distance of the current manufactured home site;
 - (b) the tenant does not owe any tax in relation to the manufactured home.

- 2** *Section 39 is amended*

(a) by adding the following subsections:

- (3.1) If the proceeds from disposing of a manufactured home abandoned by a tenant are not sufficient to reimburse the landlord for the cost of disposition or satisfy any other amount payable by the tenant to the landlord in accordance with subsection (3), subject to subsection (3.2), the landlord may not claim reimbursement from the tenant in the circumstances described in section 33.2 (a).
- (3.2) Subsection (3.1) does not apply if the tenant owes rent or fees to the landlord under the tenancy agreement. , **and**

(b) in subsection (7) by striking out “in the form of the Appendix”.