

[OK MHP](#) by [carty](#) » Tue Apr 12, 2011 6:15 am

O K mhp Keremeos

I met with the manager of the park regarding some issues that were brought up at the last meeting in Keremeos. I found him quite communicative and open. I discovered that the issues with the septic system were not quite as described at the meeting or in e-mails received by me.

The dispute between him and a tenant regarding an extension to a mobile got blown way out of proportion between the parties and the situation became dour. By bringing the parties together for some face to face communication the concerns became clearer and hopefully resolvable. Again the problem centred around rumours and miscommunication and the meeting dismissed many of the uncorrect assumptions and issues. They have come to a solution that is acceptable to both parties and the manager will present it to the park owner for acceptance. We await his response.

The manager has resigned his position effective the end of April. His struggles with the park owner and some tenants has led to this decision.

I will elaborate more fully at this Fridays meeting (April 15th)

[Penticton bylaw 92-21](#) by [whitewater](#) » Sun Apr 10, 2011 7:50 pm

I would encourage anyone having problems with a landlord to read this bylaw. It is available on the city of Penticton web site <http://www.penticton.ca> under bylaws. This was adopted by the city of Penticton in 1992 and has been basically archived by the the city since then. We just recently had the owner of Whitewater MHP move 5 older manufactured homes into the park, he has started to redo these homes and the first one is now for sale, 750 sq feet double wide, pad rent \$695 per month. Two of the homes were placed on lots that were too small for the size of the homes that arrived. After this was brought to the attention of the City a stop work order was put on one of these homes and the property management was forced to apply to the city for a variance to the bylaw. The problem with the site was that the home was within three feet of the sidewalk at the front and a porch was attached to one side of the home that extended into the required buffer area between the neighbouring pad. The placement of the home allowed no area for a driveway except for a tight area between the home and a fence bordering a neighbouring townhouse property.

It was discovered at the variance hearing that the required surveys and plans for the building permit had not been submitted before the permit was issued and the plans that were submitted where not accurate. Stanmar Property management asked for a variance based on what was termed HARDSHIP claiming they were given the wrong measurements for the home from the owner. It was argued that if this variance was granted there would be safety issues for emergency vehicles, parking issues for existing tenants, and property enjoyment issues for families living next to the pad in question. The variance was denied and Whitewater park management is now required to remove the manufactured home from the site.

I found all this very interesting.....Can those living in the Park apply for a variance based on hardship if, upon selling their unit they are found to not be in compliance with a city regulation? The act states that it is the responsibility of the Park owner to ensure all extension or addition in the park meet Bylaw requirements....if he failed to do that at the time the work was done can he force it to be done when the unit changes hand?

This Bylaw 92-21 is.....pursuant to section 734 of the "Municipal Act".....does such a bylaw exist in other towns as well?


I'd appreciate any comments.

[Community outreach/law advocacy](#) by [whitewater](#) » Sat Mar 05, 2011 3:41 pm

I would like as many of you as possible to check out this web site <http://www.pawc.ca> this is the agency that I had mentioned at our last meeting. If you review the services provided you will see a number of services that may be valuable to some members of our association. Although PAWC is promoted as mainly an outreach to women their community out reach and law advocacy programs service all those in need in the community. The law advocate travels to different areas on different days of the week, so the service basically comes to those that need it. I have an appointment to met with the coordinator of the centre on Wednesday and will at that time get a schedule of times for each area. The meeting will also involve discussion to a link on our website to theirs and visa versa....Bernedette, my contact, saw our association as a good resource, she had never heard of us yet said that have had may calls from owners in MHPs in the past and that their legal advocate has considerable experience with the dispute resolution process.

[whitewater](#)

[Re: community outreach/law advocacy](#) by [Admin1me](#) » Mon Mar 07, 2011 12:36 pm

 [Sharon](#). Thanks for the well written post. This is going to be a good resource. It deserves a link on our Resources page of the website. Please let me know the results of your upcoming meeting.

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[Re: Community outreach/law advocacy](#) by [Sandra](#) » Sat Mar 19, 2011 3:24 pm

Many thanks to Sharon for her determined advocacy for tenant/owners against landlords with deeper pockets. This promises to be a terrific resource for those who feel overwhelmed by the money and legal aspects required to mount a successful rebuttal to unjust or illegal landlord actions. Now to USE IT!

[Sewage problem OK park Keremeos brought forward](#) by [ray](#) » Sun Feb 27, 2011 1:42 pm

Topic: **Sewage problem OK park Keremeos**. Posted by: **Glen Moore**. Date: **Feb. 1, 2011**

I spoke with Sandra Peake last evening and she said that she got pictures of the last happening of raw sewage on the ground and went to see the Keremeos village office and they have a copy of the pictures and said they are continuing to look into the matter.

I spoke with the village clerk this morning and she told me that they are working with interior health and that the village have done an inspection and samples have been taken confirming that it is raw sewage that has been buried. I mentioned the Manufactured home park act 3-26-b to them. I also asked if they had been in contact with the provincial environmental agency over this issue. She stated the to her knowledge no one had contacted them but would explore that avenue through the interior health office. She stated that today she was making many calls trying to resolve this issue.

Posted by: **Glen Moore**. Date: **Feb. 14, 2011**

I again spoke with the village clerk and was informed that regional health are actively seeking the owner of the park to serve him with notice to repair this problem. I was led to believe that they are going to give him some strict guidelines and dates to repair the problem. That is all she could disclose at this time as it is in the health departments hands.

That's all folks

[Re: Sewage problem OK park Keremeos brought forward](#) by [Sandra](#) » Sat Mar 19, 2011 3:18 pm

The clerk confirmed on our last visit that the deadline has come and gone. As of yesterday (Fri Mar 18th,) the Health Inspector again was examining the sewage situation at no's 22 and 23 (the tank is on 23, the problems inhouse are at 22) with 2 other consultants. Have received no further information to date. Sandra

 [Building permits](#) by [Sandra](#) » Sat Mar 12, 2011 10:04 pm

Well, Mar 11, 2011 has come and gone, and the tenants in one dispute in the OK MHP are officially non-compliant with the RTB ruling that they get a building permit by that date. Certainly the tenants tried, several times. But the Village itself refused to issue the permit w/o the landlord's signature. The landlord's agent promised it was forthcoming, but events proved otherwise. I enquired a couple times how a landlord could require the new tenant/owner to upgrade the building to meet Keremeos building codes, but the Village could withhold the permit if the landlord didn't give permission. Why would he, after all? He wanted the mobile gone, not upgraded. He wants new tenants at a greatly increased rent. But I can see big battles looming with every house sale from this point on ... on similar grounds. UGH! 😞

[Re: Building permits](#) by [carty](#) » Mon Mar 14, 2011 8:09 am

Hopefully the people involved will be at the upcoming meeting in Keremeos. If so I would like an opportunity to speak to them prior to the meeting. There has to be some way to get out of the "catch 22" they are in. Please advise if this can be arranged.

[Re: Building permits](#) by [Sandra](#) » Sat Mar 19, 2011 3:12 pm

I wasn't sure of either the number nor the range of complaints that would show up at the meeting. Certainly there is much anger at the new landlord's STYLE of administering rent increases and arbitrary eviction notices. There were at least 4 tenant/owners involved that were present that did not speak up, including the landlord's agent. Some people are not comfortable making themselves targets. 😊 So far, nothing is happening with the expired RTB ruling re the building permit. But the situation in OK MHP is building as time goes on. I'm still waiting to see if the tenants wish to meet with you, or alternatively, to approach me to set a meeting up. But you were right - 3rd hand doesn't replace the actual voice of the injured parties. I'm glad 2 or 3 did speak up.

[Illahie Beach](#) by [Ray Nuttall](#) » Sun Feb 27, 2011 5:26 pm

Update, Illahie Beach, Summerland.

I received a phone call Feb. 26 from a Tenant. Norm Hyslop, who was successful in getting his eviction overturned,

(and is currently in Mexico). The Landlord tried again to get the RTO to uphold the eviction, and once again was defeated.

Landlord persists in calling it an RV Campground, and RTO say it's a M.H.P.

Landlord has posted eviction notices for some Tenants due to non payment of the illegal \$100. rent increase. More disputes are in the works.

Posted by Ray Nuttall

[More \(amended\) developments Post brought forward](#) by [ray](#) » Sun Feb 27, 2011 1:38 pm

Topic: **More (amended) developments.** Posted by: **Sandra Peake.** Dated: **Feb. 7, 2011**

The eviction notice was originally posted for lack of inspections. Dispute centred on whether required repairs were needed or even requested.(No.)Then ownership was settled. KM sold to LC who sold to LB who sold to WB, current owner. Landlord refused rent for Nov and Dec, showing permits for renos not obtained from Village. Upshot: RTO ruled tenants could make repairs approved by bylaws, and landlord would let disputing tenants (who will buy) move in. Tenants get 1/2 filing fee back. Tenants called in building inspector; Village refuse to issue permit unless signed by landlord??? Time is of essence. This is a real soap opera, and it's not over yet! Especially since the house has stood 4 years under Grandfather clause before new landlord bought it.

[Development Posts brought forward from former Message Forum](#) by [ray](#) » Sun Feb 27, 2011 1:12 pm

Topic: **Developments.** Posted by: **Sandra Peake.** Date: **Jan. 29, 2011**

The ongoing fight at OK pitting the landlord against 2 tenants that wanted to buy another property in the park is nearing completion. After searching the Residential Tenancy Act in vain to justify his refusal, the landlord finally resorted to calling in the Village of Keremeos bylaw compliance officer. The disputed #18 mobile was found to be closer to the property line than allowed (although no one seems to know where the line is.) The incoming tenants have till early March to apply for a building permit to reduce the back of 18 and to re-roof it at more of a slope. Tenants will do the de- and con-struction. Interestingly, the building at 19 is out of compliance with an addition that brings them 4 feet closer to 18 than permitted. Will it also need remedial work? Stay tuned.

Posted by: **Sandra Peake.** Date: **Feb. 2,2011**

Just a note. Corrections are coming to this post as I had a couple facts misinterpreted. When I see the resolution, then I'll catch up. Thanks.

Posted by: **Bob Cartwright.** Date: **Feb. 9,2011**

I was wondering if there is any options available to the tenants whose unit is encroaching. Often there are such avenues such as "Conditional use" or "Variences" that Municipalities can grant. One should approach the mayor or area administrator to research options.