

Manufactured Home Sale and Purchase

The Residential Tenancies Act:

- States that a tenant in a land-lease community may sell a manufactured home or purchase goods and services according to the tenant's choice.

Reference:

Residential Tenancies Act: Section 9(2), Statutory Conditions 1 to 3, Regulations s. 3

Details:

Occasionally, tenants of land-lease communities seek help from the Residential Tenancies Program because the landlord insists that any replacement manufactured home be purchased from the landlord.

1. If a tenant wishes to replace a manufactured home due to fire, damage, or simply due to age, the landlord cannot force the tenant to purchase the manufactured home from the landlord's dealership;
2. Refusal of a landlord to sign the required municipal permits (if required) for replacing a manufactured home is considered a breach of the statutory conditions;
3. A landlord is not required to accept an incoming purchaser as a tenant.

Procedure:

Disagreements involving issues 1 or 2 (above) will be handled by the same procedures as any other landlord/tenant dispute.

- Either party can make an application to the Director asking for a resolution of the disagreement;
- The applicant must serve the respondent with a copy of the application;
- The Officer will first attempt to reach an agreement between the two parties (mediate) or, failing that, hold a hearing, determine the facts and then issue an Order.

Disagreements involving issue 3 may be addressed by the procedures above when there is a failure to follow the process set out in subsection 9(2) of the Act (Statutory Conditions 1A, 1B, 1C and 1D) and Section 3 of the Regulations.