

#RTO – 25

HOW TO COMPLETE THIS FORM ELECTRONICALLY: If you are accessing this form from the B.C. Government Web site, it can be printed and completed by hand (*print clearly, using dark ink*) or filled out while at the computer workstation—simply type your responses in the boxes. If you cannot complete all the sections at the computer right away, you can print off what you have completed and fill in the remaining fields by hand. Note, you **cannot save** the completed form to your computer, therefore, after you complete the form, make sure you review the form for accuracy and print the number of copies you require **before** you leave the document or shut down the program/computer.

IF ADDITIONAL SPACE IS REQUIRED TO LIST ALL PARTIES, complete and attach Schedule of Parties (#RTO-26)

 RTO-26 used & attached:
HOME OWNER – INSTRUCTIONS:

Use this form if you are a manufactured home owner and you are requesting the park owner's consent to sublet your site tenancy agreement to the proposed tenant of your manufactured home. Fill out **section A-D** of the form, and have the proposed subtenant fill out **section E**. Then serve the completed form on the park owner in accordance with the Manufactured Home Park Tenancy Act (MHPTA). You must allow the park owner sufficient time to respond before the date of the proposed sublet. **Section F** is for the park owner to fill out in response to your request. See page 6 for more information.

PARK OWNERS – IMPORTANT NOTICE:

You must respond to this request for consent by completing **section F** of this form and returning the form to the home owner promptly, and in any case so that the home owner **receives it by the 10th day** after the date you received (or were deemed to have received) this request. If the home owner does not have your response by the end of the 10th day, your consent to the sublet will be conclusively deemed to have been given. See page 6 for more information.

PARK NAME:

A. TO THE PARK OWNER: *(if entry is a business name, use the 'last name' field box to enter the full legal business name)*

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last name

first and middle name(s)

Address of Park Owner *(current address for service of documents):*

--	--	--	--	--

unit/site

address

city

province

postal code

--	--	--	--	--	--

daytime phone number

other phone number

fax number for service

B. FROM THE HOME OWNER(S):
Name(s) of Home Owner(s):

--	--

last name

first and middle name(s)

--	--

last name

first and middle name(s)

Address of Home Owner *(current address for service of documents):*

--	--	--	--	--

unit/site

address

city

province

postal code

--	--	--	--	--	--

daytime phone number

other phone number

fax number for service

ADDRESS OF SITE TO BE SUBLET:

			B.C.	
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site

address

city

province

postal code

C. REQUEST FOR CONSENT TO SUBLET *(home owner to complete and sign):*

I/we, hereby request the park owner's consent to sublet my/our tenancy agreement to [name(s) of proposed subtenant(s)]:

<input type="text"/> last name	<input type="text"/> first and middle name(s)
<input type="text"/> last name	<input type="text"/> first and middle name(s)

effective on the following date:
day month year

Name of Owner:
last name first and middle name(s)

Owner's Signature: _____ **Date:**
day month year

Name of Owner:
last name first and middle name(s)

Owner's Signature: _____ **Date:**
day month year

D. HOME OWNER'S STATEMENT

By signing in the space below, I/we confirm the following:

- 1) I understand that during the subtenancy I continue to be responsible for the site rent and all other terms of my tenancy agreement with the park owner.
- 2) I have included in the subtenancy agreement all the terms of my own tenancy agreement that are relevant to the subtenancy; informed the proposed subtenant of those rules and terms, and ensured that the terms of the subtenancy agreement do not conflict with the terms of my own tenancy agreement.
- 3) I certify that the information I/we have provided on this form is true and complete.

Name of Owner:
last name first and middle name(s)

Owner's Signature: _____ **Date:**
day month year

Name of Owner:
last name first and middle name(s)

Owner's Signature: _____ **Date:**
day month year

E. PROPOSED SUBTENANT INFORMATION AND REFERENCES *(to be completed by proposed subtenant):*

Name(s) of Subtenant(s):
last name first and middle name(s)

last name first and middle name(s)

Current Address:

site/unit # park name address city province postal code

Check box that applies to Current Address: Rent Own Rent site/own home

How Long at Current Address: From: To:
day month year day month year

Current Landlord : (if applicable)
last name first and middle name(s)

Current Landlord Phone (if applicable): ()

Previous Address:

site/unit # park name street address city province postal code

Check box that applies to Previous Address: Rent Own Rent site/own home

How Long at Previous Address: From: To:
day month year day month year

Previous Landlord: (if applicable)
last name first and middle name(s)

Previous Landlord Phone (if applicable): ()

Personal References of Proposed Subtenant (provide two):

1) Personal Reference:
last name first and middle name(s)

Phone: () Relationship to proposed subtenant(s):

2) Personal Reference:
last name first and middle name(s)

Phone: () Relationship to proposed subtenant(s):

Proposed Subtenant's Proof of Age (if applicable):

If this park is reserved for tenants age 55 and over, **attach proof of age** (e.g., copy of birth certificate, driver's license) to show that one of the proposed subtenant(s) meets that age requirement. **Attached**

Additional Occupants (provide names of all additional persons who will occupy the premises)

last name first and middle name(s)

last name first and middle name(s)

last name first and middle name(s)

Proposed Subtenant(s) statement AND signature(s)

By signing in the space provided below, I/we confirm that;

1) I do do not intend to reside in the home. If not, why not?

2) I do do not intend to use the home for business purposes (e.g., renting the home to others).
If yes, specify:

3) I have reviewed the relevant terms and rules referred to in Box D, and confirm that I know of no existing conditions that would prevent me/us from complying with the Act, the terms of the tenancy agreement or the park rules.

4) I authorize the park owner to contact the landlord(s) and references provided for the purpose of verifying or obtaining information relevant to the request to sublet.

5) The information provided by me/us on this form is true and complete.

Subtenant:
last name first and middle name(s)

Signature: _____ **Date:**
day month year

Subtenant:
last name first and middle name(s)

Signature: _____ **Date:**
day month year

F. PARK OWNER'S RESPONSE

Park owner: complete this section and return the form to home owner **promptly**, and in any case so that the home owner receives it no later than 10 days after you received the home owner's request. If the home owner does not receive your response by the end of the 10th day, your consent to this request will be conclusively deemed to have been given. See page 6 for more information.

Consent for subletting the site tenancy agreement to the proposed subtenant(s) indicated on this application is:

- given
- withheld on the grounds listed below (note, consent may be withheld only for the grounds provided under the Manufactured Home Park Tenancy Regulation - see page 6 for more information).

Grounds on which consent is withheld (if applicable) and information used to support those grounds:

Name of Park Owner or Agent:

last name

first and middle name(s)

(if entry is a business name, use the 'last name' field box to enter the full legal business name)

Signature: _____

Date:
day month year

Important Information for Park and Home Owners

Please Read

The following information is based on the Manufactured Home Park Tenancy Act

- Home owners may sublet their tenancy agreement only if they have the park owner's consent.
- **Before** requesting the park owner's consent to a subtenancy, the home owner must include all terms of the home owner's tenancy agreement that are relevant to the subtenancy, including park rules, **inform the subtenant of those rules and terms**, and ensure that the terms of the subtenancy agreement do not conflict with the home owner's tenancy agreement.
- The Act does not require a home owner to use this form to request the park owner's consent to sublet to a proposed subtenant; however, the park owner can require that this form be used and may refuse consent to a sublet if the request is made in some other form.
- A home owner must serve the request on the park owner in accordance with the Act, in sufficient time prior to the effective date of the proposed assignment to allow the park owner to respond. Information about serving documents is available in any Residential Tenancy Office, Government Agent, or on the B.C. Government Web site (listed below)
- A park owner must respond to the request by filling out section F and serving it on the home owner in accordance with the Act, so that the home owner **receives** it no later than the 10th day after the park owner got the request.
- If the home owner does not have the park owner's response by the end of the 10th day, the park owner's consent is conclusively deemed to have been given, and the home owner may sublet the tenancy agreement to the proposed subtenant(s) listed on this form. A form sent to the park owner by registered mail on the 1st of the month would be deemed to have been received by the 6th. If the home owner has not received the response by the end of the 16th, the park owner's consent is conclusively deemed to have been given. This only applies if the home owner can **prove** that he or she served this form on the park owner in accordance with the Act.
- Home owners are encouraged to use a method of service that's easy to document, such as registered mail.
- The home owner and park owner may agree in writing to extend the deadline for the park owner to respond to a specific date.
- The home owner and proposed subtenant are not required to provide any further information other than that required on the form. However, the proposed subtenant may voluntarily provide additional information, including alternate references if the park owner has difficulty reaching those listed on the form.
- The park owner may not withhold consent to the sublet unreasonably or arbitrarily, and may only withhold consent for a request made in this form for one or more of the following reasons:
 - the park owner obtains negative reference or other relevant information such that it is reasonable to conclude the proposed subtenancy is likely to result in a breach of the terms of the home owner's tenancy agreement;
 - the home owner has agreed in the tenancy agreement not to sublet;
 - there is not at least one subtenant who meets the age requirement in an age 55 and over park as defined by the Human Rights Code;
 - the proposed subtenant does not intend to reside in the home, **and** intends to use it for business purposes or already owns more than one home in the park;
 - the home owner's tenancy is a monthly tenancy and the home has been removed from the site or destroyed;
 - the park owner doesn't have enough information to make a decision about the request because one or more of the proposed subtenant's references could not be reached (this ground may only be used if the park owner promptly notified the home owner of his or her inability to reach one or more of the references, and made every reasonable effort to contact the references including any back up references provided after the home owner was notified);
 - the manufactured home does not comply with housing, health and safety standards required by law; or,
 - the home owner owes the landlord arrears of rent or an amount due under an arbitrator's order.
- If a park owner withholds consent unreasonably or arbitrarily, or for a reason that is not listed above, a home owner may apply for an arbitrator's order that the tenancy agreement may be sublet.

FOR MORE INFORMATION . . . visit our Web site: www.rto.gov.bc.ca

OR call the Residential Tenancy Office at:

• In the Lower Mainland 604 660-1020 • elsewhere in B.C. call toll free: 1 800 665-8779