

The following is an excellent article on the

Request for Consent to ASSIGN a Manufactured Home Site Tenancy Agreement (RTB-10)

(RTB-10) No rent increase for the New Tenant. Frequent rent increases can result in a Landlord asking to have rent parity within the park, for all Tenants. The Landlord MUST reply in writing accepting the Purchaser or with one or more of the Five Valid Reasons on the RTB-10 form (item 9) to refuse the Purchaser, and this can avoid costly delays.

I strongly recommend that you follow all of these steps when you decide to sell your home.

1. Contact Management and arrange for an inspection of the outside of your property in preparation for the sale.

DO NOT engage in any discussion with the Landlord/Management regarding the demands, but insist that they are given to you in writing. DO NOT ARGUE but INSIST that the repair request must be in writing and be dated. **Allowable repair requests are only for safety issues. Those are mandatory and should be completed before listing your home.**

2. Contact a Realtor to handle the sale of your home, inform the Realtor that you want to use the "Request for Consent to ASSIGN a Manufactured Home Site Tenancy Agreement" (RTB-10) form. Make it clear that you require them to assist with all aspects of the form including: completing all the prescribed steps of the form and the immediate physical delivery of the form to the Landlord/Manager, allowing enough time for the Landlord/Manager to reply (10 days). Be sure that the Realtor understands that the delivery of the form does not include the Purchaser meeting with the Landlord/Manager, as laid out in Step 8. ***If the Realtor will not agree to do this, do not use them!! Find a Realtor that will.***

HOME OWNER'S AND AGENT'S RESPONSIBILITY CLARIFICATION

3. The Homeowner completes Section A to E on the form, with your Agent's assistance.
4. When an offer is made to purchase your home this form is sent to the Purchaser's Realtor with the other documents required re acceptance of the offer.
5. The Purchaser completes Section F (two pages) and it is returned to you via your Agent with their offer. If the Purchaser has privacy concerns, have TWO COPIES returned to you in a sealed envelope (one for you and one for Management).
6. If you are accepting the offer: it is your responsibility to oversee and ensure the immediate delivery of the completed form to the Landlord/Manager by the Realtor.
7. Keep a copy of the completed form as a record re date of delivery to the Landlord/Manager.

DELIVERY METHODS

8. If there is a Landlord/Manager in the same area as the park, your Realtor should physically make every attempt to do an immediate delivery of the completed form (RTB-10) to the Landlord/Manager, and record date and time served. DO NOT EMAIL, FAX OR MAIL TO THE LANDLORD/MANAGER. If it cannot be physically delivered to the Landlord/Manager then immediately send it by Registered Mail, this will give you a confirmation of delivery.

Once you have received delivery confirmation start the 10 day count to the acceptance date.

This form forces Management to Assign the Tenancy to the Purchaser without meeting the Purchaser. The Purchaser will contact the Landlord/Manager on the 11th day after delivery of the FORM, not before. Have your Agent advise the Purchaser's Agent of the date.

The form ensures that the Management must complete page 5 of the form and return it to the Homeowner in 10 days with reason and proof, for denying the request to accept the Purchaser, or to state they have accepted the Purchaser. If the Homeowner does not receive the form back from the Landlord/Manager, the tenancy is considered given.

9. Five valid reasons for refusal of a new Purchaser:
 1. Negative credit rating. This must include written proof of bad credit.
 2. References indicate the tenant is unlikely to comply with the Tenancy Agreement. This must include written proof.
 3. Unlikely or unable to pay rent. This must include written proof.
 4. Does not intend to live in the park.
 5. Every reasonable effort has failed to contact the references. This must include written proof, including dates and times attempts were made to contact your references.
10. Quote from the form re instructions to the Park owner or representative, "If the Homeowner 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".

www.rto.gov.bc.ca/documents/rtb-10.pdf This is the link that will allow you to download and print the RTB-10 form.