

Tenants forced to leave trailer park

BY RICHARD WATTS, TIMES COLONIST FEBRUARY 15, 2009

Residents of a mobile home park in Sooke are preparing to move out after a government-approved arbitrator ruled their eviction is legal.

It's the latest in a string of evictions from mobile home parks. Evictions are also underway in Ladysmith and Metchosin as landowner Oak Bay Marine Group moves in to redevelop properties.

In the Sooke case, landowner Jeff Zigay has given residents of 17 mobile homes at Seaview Mobile Home Park near Sooke's downtown until Oct. 31 to move out. The landlord will pay the tenants back 12 months' rent, the minimum required under the law.

Secela Dutton, an 89-year-old widow who has lived in the park for 20 years, says she doesn't know where she will go, and might have to move in with her grown children. "I'll have to leave Sooke no matter what."

She and other residents were first hit with eviction notices last October and appealed to the provincial Residential Tenancy Branch.

But the dispute resolution officer in a Feb. 5 ruling said the mobile home park was not economical and the landowner was justified in converting it to a home-based business.

Landowner Jeff Zigay was not available for comment. But his lawyer, John Alexander, said the park's infrastructure was old and in need of significant repair. Yet legislation governing mobile home parks makes it tough for owners to increase rent significantly. All Seaview tenants paid less than \$300/month.

"This one was mainly driven by economics," said Alexander, noting his client intends to use the property for a landscaping business.

It's uncertain, however, whether Zigay will be allowed to pursue his new business. Municipal policy requires that he pay his tenants market value for their trailers or find them a new place to live.

Sooke councillors enacted the policy shortly after learning of the eviction plans.

Alexander said his client plans to live and pursue his business on the part of the 3.7-acre parcel zoned village commercial, not the mobile home portion. Since he hasn't applied for rezoning, the new policy won't apply, Alexander argued.

But Sooke Mayor Janet Evans said as far as the municipality is concerned, the policy still applies.

Evans said she and municipal officials plan to meet with the landowner in hopes of reaching accommodation for the tenants.

"We are very concerned about the plight of those tenants," said Evans.

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