

Oil Tank Agreement

THIS AGREEMENT forms part of the Tenancy Agreement dated _____
between the Landlord and Tenant(s) for Manufactured Home Site # _____,
at _____.

WHEREAS the **Manufactured Home Park Tenancy Act**, Section 26, requires that:

(2) *A tenant must maintain reasonable health, cleanliness and sanitary standards through the manufactured home site and in common areas; and*

(3) *A tenant must repair damage to the manufactured home site or common areas that is caused by the actions or neglect of the tenant or a person permitted in the manufactured home park by the tenant;*

AND WHEREAS there is currently a furnace oil tank in use on this site that may or may not meet current British Columbia Fire Code requirements, and may present a potential environmental safety hazard;

THE PARTIES AGREE AS FOLLOWS:

The Landlord will permit the Tenant to retain the furnace oil tank located on the above noted manufactured home site in consideration of the Tenant's agreement to the following terms and conditions:

1. **Inspection of Tank, Lines and Fittings:** The Tenant agrees to have the oil tank, filter, oil line to the furnace, and all fittings inspected by a qualified technician within sixty (60) days of the start of the tenancy agreement and each year thereafter. Within seven (7) days of each such inspection, the Tenant will provide the Landlord or the Landlord's representative with a report or letter from the technician, which confirms that the system has been inspected, is in good condition, and meets current B.C. Fire Code and Environmental Protection requirements. The Landlord will accept an existing report or letter, provided that the inspection was completed within the last twelve (12) months.
2. **Environmental Protection:** Within sixty (60) days of the start of the tenancy agreement, the Tenant will bring the oil tank, oil line and fittings into full compliance with the current British Columbia Fire Code and Environmental Protection requirements, and will:
 - (a) remedy any environmental damage that may have occurred from oil leaking from the tank, oil line or fittings.
 - (b) install a containment system under the tank, designed to confine a potential oil spill and minimize environmental damage, as required by the B.C. Fire Code, such as a concrete pad or slab which extends past the edges of the oil tank on all sides and provides a sufficient lip or edge to contain spills.

(c) ensure that the tank and piping construction materials meet current B.C. Fire Code requirements (see Paragraph 3 below).

3. **Maintenance and Annual Inspection Report:** The Tenant agrees to have a qualified technician maintain and service the oil tank, filter, fittings and oil line to the furnace, and to replace the oil tank, filter, fittings and oil line as required. The Tenant also agrees to provide the annual inspection report or letter required by the Landlord, as described in Paragraph 1 above.
4. **Tenant Responsibility:** The Tenant accepts full responsibility for the costs related to any events, including oil spills and leaks, caused by the oil tank and oil system serving the Tenant's manufactured home site. In particular, the Tenant accepts responsibility for the cost of any clean-up resulting from spills or leakage from his oil tank and oil system.
5. **Insurance:** The Tenant acknowledges that he understands that costs for environmental rehabilitation of the site and surrounding area for any oil spilled or leaked can be very high. Appropriate insurance that includes the costs of such environmental clean-up is recommended.
6. **Non-Compliance:** Any breach of the terms of this agreement by the Tenant will be considered as a breach to a reasonable material term of the tenancy agreement and as a threat to the safety or other lawful interest of the Landlord or other occupant of the Park. Any such breach will result in termination of the tenancy agreement.

UNDERSTOOD AND AGREED UPON this _____ day of _____, 2_____.

LANDLORD:

TENANT(S):

TENANT(S):

Park / Community Name: _____

Address: _____

Phone: _____ Fax: _____

Date: _____

Dear Resident:

Re: Oil tank replacement.

The cost to the homeowner to clean up the oil leaked into the ground from an oil tank can be very expensive. The provincial government has advised the public that the life expectancy of an oil tank is only 15 years. They have also issued warnings that although tanks may look fine on the outside, there may well be a hidden problem with corrosion on the inside of the tank, and therefore oil tanks should be replaced every 15 years.

Your oil tank may be older than 15 years and therefore overdue for replacement. The tank does not need to be empty before replacement as the professionals who replace oil tanks will pump your oil into a spare tank, install the new tank and then pump the oil back into the new tank.

It is important that you have your home heating oil tank inspected by a fuel professional if you are uncertain of the tank's age, and replace it if necessary. An inspection sheet is enclosed, and we ask that you have a professional such as your oil delivery serviceman or oil tank replacement specialist complete it and then have the form returned to the Park office.

We look forward to receiving your completed inspection form, thank you.

Sincerely,