



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes

MNR & FF

Introduction

This hearing dealt with an application by the landlord seeking a monetary claim related to non-payment of rent. However, in the hearing the landlord clarified that the actual issue was to have the tenants' remove personal property which had been abandoned. The landlord's agent stated that the tenants had vacated the property back in February 2009 but left behind a mobile home.

Analysis

I find that the landlord's application is without merit and the remedy the landlord is seeking is not related to non-payment of rent. The landlord acknowledged that the tenants vacated the rental unit many months prior and that the landlord is seeking to remove the tenants' personal property or seek compensation for storing the tenants' personal property.

I indicated to the landlord that the regulations dealt with the abandonment of personal property by tenants and that the landlord could file for an application for damage or loss experienced after they have dealt with the tenants' possession pursuant to the regulations.

Conclusion

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

I dismiss the landlord's application as there is no claim established due to non-payment of rent.

Dated: July 06, 2009.

Dispute Resolution Officer