



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

Dispute Codes      MNDC

### Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the tenant and the tenant's former landlord.

At the outset of the hearing, the parties acknowledged that the landlord in attendance and who the tenant has filed his application against is the former owner of the property. The notice to end tenancy was issued as a condition of the sale requested by the purchaser of the residential property, in accordance with Section 49 of the *Residential Tenancy Act (Act)*.

The new landlord took possession of the rental on March 12, 2010 and the tenancy ended on March 31, 2010, as such, I find the landlord named in this application is not a party to this dispute.

### Issues(s) to be Decided

The issues to be decided are whether the tenant is entitled to a monetary order for compensation resulting from the landlord failing to use the rental unit for the stated purpose after issuing a 2 Month Notice to End Tenancy for Landlord's Use of Property, pursuant to Sections 51 of the *Act*.

### Conclusion

For the reasons noted above, I dismiss the tenant's Application in its entirety.

I note the tenant remains at liberty to file an Application for Dispute Resolution against the purchasing landlord on this matter.

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*.

Dated: December 14, 2010.

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Dispute Resolution Officer