



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNDC, OPT

Introduction

This was an application by the tenant for a monetary order, or in the alternative, an order for possession. The hearing was conducted by conference call. The landlord and the tenant participated in the hearing.

Issue(s) to be Decided

Is the applicant entitled to a monetary order?

Background and Evidence

The tenant agreed to rent the landlord's fifth wheel trailer on his land commencing December 15, 2010. The rental unit proved to be uninhabitable; there was no heat and no running water. The tenant became ill and moved out after a few days.

Analysis and conclusion

The rental unit offered by the landlord was not suitable to be occupied as living accommodation and the landlord acknowledged this to be the case at the hearing. The landlord agreed to refund the tenant her rent payment in the amount of \$410.00.

I find that the tenant is entitled to recover the sum of \$410.00 paid for living accommodation that was not suitable for occupancy and I grant the tenant a monetary order in the said amount pursuant to section 67 of the *Residential Tenancy Act*. This order may be registered in the Small Claims Court and enforced as an order of that court.

Dated: February 08, 2011.
