



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNDC, FF

Introduction

This matter was set to deal with an application by the tenant to obtain a Monetary Order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, regulation or tenancy agreement and to recover the filing fee for his application.

At the outset of the hearing the matter of the lack of evidence was discussed and the tenant testifies that he was served with a Two Month Notice to End Tenancy by the landlord and did not receive any compensation for this Notice. The tenant states the landlord cashed the rent cheque for the last month of the tenancy.

The landlord testifies that he does not intend to give the tenant any compensation as he defaulted on his rent and he has other issues with the tenant.

Neither party sent a copy of the Two Month Notice in evidence to determine if this was a valid document. Neither Party has provided any evidence for this hearing. Therefore, I dismiss the tenants' application with leave to reapply.

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: February 24, 2011.

Residential Tenancy Branch