



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, MNR, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order. The hearing was originally scheduled for March 2, 2011 at which time the landlord attended but the tenant did not. The hearing was rescheduled to March 22 when both parties participated in the conference call hearing.

Issue to be Decided

Is the landlord's application time-barred?

Background and Evidence

The parties agreed that the tenancy ended on October 15, 2008. The landlord made the application for dispute resolution on October 28, 2010.

Analysis

Section 60 of the Act provides that an application for dispute resolution must be made within 2 years of the date that the tenancy ends and after that date, the claim ceases to exist. I find that the application was not made within 2 years and therefore has ceased to exist.

Conclusion

The claim is dismissed. 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: March 22, 2011

Residential Tenancy Branch