



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** MNDC

### **Introduction**

This is the Tenant's application for compensation for loss under the Act, regulation or tenancy agreement.

The parties gave affirmed testimony at the Hearing.

Part of the Tenant's application was for return of the security deposit. The Tenant testified that the Landlord returned his security deposit in full on March 17, 2010, and therefore he withdrew this portion of his claim.

### **Issues to be Decided**

- Is the Tenant entitled to compensation in the amount equivalent to two months' rent, and moving expenses?

### **Background and Evidence**

The Tenant gave the following testimony:

The Landlord issued a One Month Notice to End Tenancy for Cause on February 4, 2011. The Notice stated that the rental unit must be vacated to comply with a government order.

The Tenant did not dispute the Notice and moved out of the rental unit on March 2, 2011.

The Tenant seeks compensation for being forced to move out of the rental unit, through no fault of his own, in the amount equivalent to 2 months' rent plus moving expenses in the amount of \$80.00.

The Landlord's agent gave the following testimony:

The Landlord's agent testified that the City gave the Landlord and the Tenant notice that the bedroom window in the rental unit did not provide a secondary means of exit, which was a fire hazard which caused life safety concerns. The Owner was ordered to return the rental property to a duplex by vacating the rental unit and another rental unit.

### **Analysis**

Section 47(1)(k) of the Residential Tenancy Act allows a Landlord to give notice to end a tenancy if the rental unit must be vacated to comply with an order or a federal, British Columbia, regional or municipal government authority.

There is no provision in the Act for compensation to a Tenant if the tenancy ends as a result of such an order.

The Tenant's application is therefore dismissed.

### **Conclusion**

The Tenant's application 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: April 12, 2011.

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Residential Tenancy Branch