



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, OLC

Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a monetary order for \$1500.00

Background and Evidence

The applicant testified that:

- He had a person who was willing to rent as a roommate and pay \$300.00 per month.
- The landlord verbally evicted the roommate, and as a result he has lost rental income for the past five months.

The applicant is therefore requesting an order for the landlord to pay five months lost rental income of \$300.00 per month for a total of \$1500.00.

The respondent testified that:

- Under the park rules the tenant is required to get written permission from the landlord to have a border or a paying guest in the rental unit.
- In this case they found out that the tenant had moved a border into the rental unit without getting permission and therefore they approach the tenant and informed him that he would have to get his roommate to apply.
- The roommate did fill out an application to become a cotenant in the park however when they checked the roommates references they turned out to be terrible and in fact there were allegations of theft at his last rental unit.
- Since the tenant did not qualify to become a tenant in the park they did not approve him as a cotenant of the applicant.

Analysis

It is my decision that the applicant has not established a claim against the landlord for lost the rental income.

The applicant did not follow the park rules when he brought a cotenant into the rental property; however the landlord did not evict the tenant or the cotenant as a result, but gave him the opportunity to apply to become a cotenant in the park.

It's reasonable when someone applies to become a cotenant in the park that the landlord has them fill out an application and checks the references, and if those references do not check out or come back negative the landlord does have the right to refuse to allow the person to become a cotenant in the park.

In this case the references for the cotenant came back very negative and therefore it is my decision that the landlord was justified in not allowing this person to become a cotenant in this park.

Conclusion

This application is dismissed in full without leave to reapply.

Further, since I have dismissed this application I order that the applicant pay the filing fee of \$50.00, which was previously waived, to the director of the Residential Tenancy Branch

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: June 02, 2011.

Residential Tenancy Branch