



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: MNR, MND, MNDC, FF

### Introduction

This hearing was scheduled in response to an application by the landlord for a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / compensation for damage or loss under the Act, Regulation or tenancy agreement / and recovery of the filing fee.

### Issue(s) to be Decided

Whether the landlord is entitled to any of the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

In the application the landlord claims as follows:

Tenant failed to pay May 2010 rent; incurred bylaw breaches & fines from District of North Van; damaged property and left possessions, garbage & a trailer; abandoned property in the middle of the night.

Documentary evidence submitted by the landlord is limited to the Notice of Bankruptcy and some related details concerning one of the tenants. On the cover fax sheet from the trustee of the estate it is noted, in part:

It appears that this debt [under the *Residential Tenancy Act*] was incurred prior to the date of bankruptcy and therefore is not collectable.

In the absence of any further documentary evidence whatsoever in regard to the tenancy and the associated claims for compensation under the Act, the application is hereby dismissed with leave to reapply.

Conclusion

The application is hereby dismissed 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: January 16, 2012.

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Residential Tenancy Branch