



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC

Introduction

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

I also gave the applicant the opportunity to testify at the hearing.

The applicant(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on January 27, 2012, however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a monetary order for \$4000.00 and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- She has not been able to find a copy of the notice, however the landlord gave her a two month Notice to End Tenancy for landlord use stating that he was going to move into the rental unit.

- Instead of moving into the rental unit the landlord listed the unit for sale 10 days after she moved out, and sold it one month later.
- She is therefore requesting compensation in the equivalent of two months' rent as required by the Residential Tenancy Act.

Analysis

The applicant is claiming that she was given a two month Notice to End Tenancy for landlord use, however the applicant has supplied no copy of said notice.

In the absence of a copy of the notice I have no way of knowing whether or not the tenant was given a valid Notice to End Tenancy or whether any compensation is justified.

Conclusion

This application is 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: March 28, 2012.

Residential Tenancy Branch