



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC FF

### Introduction

This hearing dealt with an application by the tenant for monetary compensation under the Act. The tenant, the landlord and an agent for the landlord participated in the teleconference hearing.

At the outset of the hearing, each party confirmed that they had received the other party's evidence. Neither party raised any issues regarding service of the application or the evidence. I have reviewed all testimony and other evidence. However, only the evidence relevant to the issues and findings in this matter are described in this decision.

### Issue(s) to be Decided

Is the tenant entitled to monetary compensation as claimed?

### Background and Evidence

The tenancy began on January 10, 2010, with monthly rent in the amount of \$700. In February or March 2010, new owners purchased the rental property and took over as landlords. In January 2012 the landlord served the tenant a two month notice to end tenancy for landlord's use. The tenant paid rent for February and March 2012, and moved out on March 31, 2012, the effective date on the notice. The tenant has applied for compensation of \$700, equivalent to one month's rent, pursuant to section 51 of the Act.

The landlord argued that they should not have to pay the tenant compensation, as the tenant had a tenancy with the previous owner, and the tenant was already living in the rental unit when they purchased it.

### Analysis

The tenant is entitled to compensation equivalent to one month's rent. When the current owners purchased the rental property in 2010, they became the new landlord. When a landlord ends a tenancy by serving a two-month notice to end tenancy for landlord's use, the tenant is entitled to compensation equivalent to one month's rent.

As the tenant's application was successful, she is also entitled to recovery of the \$50 filing fee for the cost of her application.

### Conclusion

I grant the tenant an order under section 67 for the balance due of \$750. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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 12, 2012.

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Residential Tenancy Branch