



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

MNDC; RPP

### **Introduction**

This is the Tenant's application for compensation for damage or loss under the Act, Regulation or tenancy agreement and for an Order that the Landlord return his personal property.

The parties gave affirmed testimony at the Hearing.

It was determined that the Tenant served the Landlord with the Notice of Hearing documents by registered mail on May 3, 2012.

The Tenant provided no documentary evidence in support of his application.

### **Issues to be Decided**

- Is the Tenant entitled to compensation in the amount of \$10,650.00 for loss of his personal property pursuant to the provisions of Section 67 of the Act?
- Should the Landlord be ordered to return the Tenant's personal property?

### **Background and Evidence**

The Tenant seeks compensation for loss of his abandoned possessions which he stated the Landlord did not dispose of or store in accordance with the provisions of the Act and regulations. These possessions included a pet cat.

During the course of the Hearing, both parties referred to a previous Decision with respect to this tenancy, wherein the Landlord was provided an Order of Possession for Cause and Monetary Order. A search of the Residential Tenancy Branch's electronic filing system indicates that this Decision and resulting Orders were issued on April 6, 2010. In the Decision, the Dispute Resolution Officer found that the tenancy ended on February 28, 2010.

The Tenant filed his Application for Dispute Resolution on April 24, 2012.

### **Analysis**

Section 60 of the Act states that applications for dispute resolution **must** be made within 2 years of the date that the tenancy to which the matter relates ends.

I find that the Tenant did not file his application within 2 years of the end of the tenancy and therefore, his application is dismissed without leave to reapply.

### **Conclusion**

The Tenant's application is dismissed without 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: June 05, 2012.

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Residential Tenancy Branch