



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking compensation under the Act or tenancy agreement from the Landlord.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

I have reviewed all evidence and testimony before me that met the requirements of the rules of procedure, however, I refer to only the relevant facts and issues in this decision.

Issue(s) to be Decided

Is the Tenant entitled to monetary compensation under the Act or tenancy agreement?

Background and Evidence

This is the second hearing between these parties. The file number for the first hearing is referenced on the cover page of this Decision.

In the first hearing, held August 3, 2012, the parties came to a mutual agreement to end the tenancy. The Tenant agreed to vacate the rental unit before August 31, 2012, and the Landlord agreed to forfeit the rent for August in the amount of \$650.00.

The Tenant has brought this Application claiming that the Landlord agreed to pay the Tenant the sum of \$350.00 for vacating the rental unit.

The Landlord entered into evidence an agreement signed by the Tenant and the Landlord, dated August 3, 2012. In this agreement the Tenant acknowledges receiving

his security deposit of \$350.00 back from the Landlord. The agreement also sets out that the Landlord is "... not liable to pay anything more."

Analysis

Based on the testimony and evidence, and on a balance of probabilities, I find that the Tenant's Application must be dismissed.

I find that the Landlord owes no additional amount to the Tenant. I find that the Tenant agreed to this in writing and has insufficient evidence to prove any other debt owing from the Landlord.

Therefore, I dismiss the Tenant's Application without leave to reapply.

Lastly I note that at the end of the hearing the Tenant declined to have a copy of this Decision mailed to him. A copy has been sent to the Landlord.

Conclusion

The Tenant is unable to prove the Landlord owes him any further compensation. The Application is dismissed without leave to reapply.

This decision is final and binding on the parties, unless otherwise provided under the Act, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: January 21, 2013

Residential Tenancy Branch