



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC FF O

Introduction

This hearing dealt with an application by the tenant for monetary compensation for damage or loss under the Act, regulation or tenancy agreement. The tenant, both landlords and counsel for the landlord participated in the teleconference hearing.

The tenant stated that she wished to withdraw the portion of her application regarding loss of wages for the date of the hearing, as that was not happening now. I therefore dismissed that portion of the tenant's application.

Regarding documents and evidence, the landlord confirmed that they had received the tenant's application. The tenant did not submit any additional documentary evidence. The landlord submitted documentary evidence and provided a copy of the registered mail receipt to show that they sent a copy of their evidence to the tenant by registered mail on January 18, 2013. The tenant stated that she did not receive the landlord's evidence. I found that the tenant was deemed served with the landlord's evidence and I admitted that 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 the monetary compensation claimed?

Background and Evidence

The tenancy began on November 30, 2011 and ended on October 30, 2012. The rental unit is a suite in the landlord's house. The tenancy agreement indicated that "cablevision" was included in the rent.

Tenant's Claim

The tenant claimed \$50 for inconvenience caused when she did not receive a paycheque. The tenant spoke to her employer, who told the tenant that the cheque was returned to him with "moved, no longer lives here" written on the envelope. This occurred during the last month of the tenancy. The tenant believed that the landlord was responsible for the tenant not receiving this mail.

The tenant also claimed \$500 for not receiving cable television during the entire 11 months of her tenancy. The tenant stated that she attended at the cable office to close her old cable account, and gave her new address. The cable rep told the tenant that the rental unit did not have legal cable. The tenant tried to hook up the cable to her TV but it didn't work. The tenant could not say when she made this attempt. The tenant did not let the landlord know that she had tried to hook up the cable. The tenant stated that the landlord told the tenant that there wasn't going to be any cable because it was illegal, and the landlord asked the tenant to pay for her own cable. The tenant refused, as cable was included in the rent.

Landlord's Response

The landlord denied writing on the tenant's mail to have it returned to the sender.

In regard to cable, the landlord stated that there was always a line for cable in the suite, and there was no cancellation of basic cable during the tenancy. The tenant never told the landlord that the cable line was not working. The cable company never communicated to the landlord that the cable in the rental unit was illegal.

Analysis

I find that the tenant did not provide sufficient evidence to support any of her monetary claim. The tenant only alleged that the landlord had her paycheque returned, and the landlord denied the allegation. The tenant did not inform the landlord that she was not receiving cable, and the landlord therefore could not correct any problem there may have been with the cable. The tenant did not provide any other evidence that the cable line was not functional during the tenancy.

As the tenant's application was not successful, she is not entitled to recovery of the filing fee for the cost of her application.

Conclusion

The application of the tenant is dismissed.

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: February 14, 2013

Residential Tenancy Branch

