



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Quadra Pacific Properties Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR MNSD MNDC FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial compensation of the monetary amount. An agent for the landlord participated in the teleconference hearing. The tenant did not attend.

Preliminary Issue – Time Limit for Application

The landlord filed their application for dispute resolution on December 19, 2012. The landlord's documentary and testimonial evidence shows that on November 12, 2010, the tenant gave notice to vacate the unit by November 30, 2010, and on November 29, 2010 the tenant vacated the rental unit.

Under section 44(1)(c) of the Act, one of the ways that a tenancy ends is when the tenant has vacated the rental unit. In this case, I find that the tenancy ended on November 29, 2010, the date that the tenant vacated the rental unit.

Under section 60 of the Act, an application for dispute resolution must be made within two years of the end of the tenancy. In this case, the landlord's application was made on December 19, 2010, more than two years after the end of the tenancy. I therefore find that the landlord's application was not made within the statutory time limit.

Conclusion

The application of the landlord 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: March 18, 2013

Residential Tenancy Branch

