



Dispute Resolution Services

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 a monetary order. Both parties participated in the conference call hearing.

Issue to be Decided

Is the tenant entitled to a monetary order as claimed?

Background and Evidence

The parties agreed that the tenant occupied the rental unit in exchange for acting as a caretaker on the residential property. On September 22, 2012, the tenant gave the landlord a letter in which she complained that he had violated several sections of the *Residential Tenancy Act*. On the following day, the landlord served the tenant with notice that he was terminating her employment and enclosed with that letter a one month notice to end tenancy for end of employment. The tenant vacated the rental unit pursuant to that notice.

The tenant seeks to recover costs associated with moving a business operation from the residential property to another location.

Analysis

The tenant entered into the tenancy with the understanding that her residence was contingent on her employment. Upon receiving a notice to end both her employment and her tenancy, the tenant chose not to dispute the dismissal or the eviction, but instead vacated the rental unit.

I find that the landlord cannot be held liable for the costs of relocating the tenant's business. The tenant had no security in her tenancy as she was aware that it would last

only as long as her employment with the landlord and therefore assumed the risk that if her employment ended, she would no longer have access to the location which she chose to set up business operations. The tenant must therefore bear the costs associated with that choice.

Conclusion

The claim 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: May 28, 2013

Residential Tenancy Branch