



# 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 an application by the tenant, pursuant to the *Residential Tenancy Act*, for a monetary order for compensation for loss under the *Act*. I accept the evidence of the tenant that the landlord was served with notice of this application and hearing in person on July 27, 2013. Despite having been served the notice of hearing, the landlord did not attend the hearing. The tenant attended the hearing and was given full opportunity to present evidence and make submissions.

The tenant initially applied for several remedies which included an order directing the landlord to comply with the *Act*, carry out repairs, provide compensation to the tenant in the amount of \$1,200.00 and allow the tenant to change the locks. The tenant stated that upon serving the landlord with the notice of hearing on July 27, 2013, the landlord illegally evicted him from the rental unit. The tenant testified that the landlord visited with police and gave the tenant two hours to move out. On August 01, 2013, the tenant amended his application to include compensation in the amount of \$5,500.00.

The tenant stated that due to the illegal eviction, he suffered a nervous breakdown and was unable to put together an evidence package to support his monetary claim. The tenant also stated that he has disabilities that also contributed to his inability to provide evidence for this hearing. The tenant requested more time to prepare for a hearing.

### **Conclusion**

Based on the tenant's circumstances, I dismiss his application with 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: August 29, 2013

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Residential Tenancy Branch