



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

CLARIFICATION DECISION

Dispute Codes MNDC, MNSD, OPC, FF

By way of an application filed in this office on August 2, 2013, the tenant has requested a clarification of my decision issued on July 16, 2013. The tenant requests that I make a finding of fact as to whether the landlords had legal grounds to evict her and direction as to how she can collect the \$50.00 owed to her by the landlords without proceeding through Small Claims Court for enforcement.

In the July 16 decision, I clearly explained that because the tenant chose to abandon her dispute of the landlords' notice to end tenancy and agree to end the tenancy, she was not entitled to compensation for expenses incurred while moving. Had the tenant continued with her dispute of the notice to end tenancy, it would have been necessary to make a finding of fact as to whether the landlords were justified in ending the tenancy. However, because the tenancy ended as a result of an agreement arrived at in a hearing on January 22, 2013, it was not necessary to make that finding to make my decision and as a result, I did not invite evidence on that issue.

As for the concerns of the tenant regarding collecting on the \$50.00 award made to her, this tribunal operates the same way as does the civil court system in that collecting money is not the responsibility of the tribunal but of the litigant. If the tenant is forced to resort to enforcing the monetary order through Small Claims Court, she may also add to that judgment whatever costs she incurs through the process of enforcement, which may result in the landlords having to pay considerably more than the \$50.00 which I ordered them to pay.

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 06, 2013

Residential Tenancy Branch

