



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, FF

### Introduction

This is an application filed by the tenant for a monetary order for money owed or compensation for damage or loss and recovery of the filing fee.

The tenant attended the hearing by conference call and gave undisputed testimony. The landlord did not attend or submit any documentary evidence. The tenant states that both of the landlords were sent the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on January 22, 2014. The landlord states that the packages were both returned by Canada Post as “refused” by both landlords. The tenant has submitted the returned envelopes as confirmation. I accept the undisputed evidence of the tenant and find that both landlords were properly served with the notice of hearing packages and the submitted documentary evidence. The landlords had an opportunity to respond to the notices, but chose to “refuse” them.

### Issue(s) to be Decided

Is the tenant entitled to a monetary order?

### Background and Evidence

The tenant states that he complied with a 2 month notice to end tenancy issued for unpaid rent dated August 25, 2013 with an effective end of tenancy date of November 1, 2013. The tenant states that he gave notice to vacate the rental unit in a letter dated September 11, 2013 for September 30, 2013 to the landlord. The letter states that the tenant was still seeking the compensation of 1 months rent as per the 2 month notice dated August 25, 2013. The tenant has provided a copy of a Canada Post Registered Mail Receipt as confirmation that this letter was sent on September 12, 2014. The tenant has also submitted a copy of the online print out from Canada Post which shows

that the landlord, V.K. signed for the letter. The landlord states that he followed up with a letter dated October 2, 2013 in which he requests his compensation of 1 months rent equal to \$882.00 as per the August 25, 2013 notice to end tenancy. The tenant states that as of the date of this hearing that no compensation has been received from the landlord. The tenant states that he again provided his forwarding address in writing by email to the landlord on October 13, 2013. The tenant has provided copies of his monthly rent receipts for \$882.00 for each month.

### Analysis

I accept the undisputed testimony of the tenant and find that a monetary claim for compensation of 1 months rent equal to \$882.00 has been established. I find that the tenant was properly served with the 2 month notice to end tenancy issued for landlord's use dated August 25, 2013 with an effective end of tenancy date of November 1, 2013. The tenant complied with the notice and gave 10 days notice on September 12, 2013 to vacate the rental unit on September 30, 2013. The tenant is entitled to compensation as per the notice issued by the landlord. The tenant is also entitled to recovery of the \$50.00 filing fee. The tenant is granted a monetary order for \$932.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

### Conclusion

The tenant is granted a monetary order for \$932.00.

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 07, 2014

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Residential Tenancy Branch

