



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      RPP, MDC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a monetary order for money owed or compensation under the Act, and to return the tenant's personal property.

Both parties appeared, gave testimony, and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

### Preliminary matter

The first issue that I must decide is whether the tenant has filed their application for dispute resolution in accordance with section 60(1) of the *Residential Tenancy Act* (the "Act"), which states an application for dispute resolution must be made within 2 years of the date that the tenancy ended.

The tenant testified that she was forced to leave the rental unit by the landlord on June 30, 2012 or July 1, 2012. The tenant stated she did not make her application earlier due to medical reasons. The landlord confirmed that the tenancy ended on June 30, 2012.

Section 60(2) of the Act, states if an application for dispute resolution is not made within the 2 year period, a claim arising under this Act or tenancy agreement in relation to the tenancy ceases to exist for all purposes.

In this case, the tenant filed their application on July 8, 2014, the evidence support that the tenancy ended on either June 30, or July 1, 2012. I find the tenant did not make their application for dispute resolution within the 2 year time limited permitted under the Act and their claim ceases to exist for all purpose. Therefore, I dismiss the tenant's application without 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: September 18, 2014

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Residential Tenancy Branch

