



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, FF, O

Introduction

This was the hearing of an application by the tenant for a monetary award and for the return of his security deposit. The hearing was conducted by conference call. The tenant called in and participated in the hearing and the landlord attended with her husband.

Issue(s) to be Decided

Is the tenant entitled to a monetary award and if so, in what amount?
Is the tenant entitled to the return of his security deposit?

Background and Evidence

The rental unit is a suite in the landlord's house in Coquitlam. The tenancy began in 2006. The tenant testified that he moved out of the rental unit in March 2012. The tenant filed this application to claim compensation on November 6, 2014. In addition to the refund of his deposit, the tenant claimed for the return of a portion of the rent paid and reimbursement for expenditures.

Analysis

The *Residential Tenancy Act* provides by section 60 that a claim under the Act must be made within two years of the date that the tenancy ends. The Act goes on to say that: "if an application for dispute resolution is not made within the 2 year period, a claim arising under this Act or the tenancy agreement in relation to the tenancy ceases to exist for all purposes".

Because this application was not made within the two year period, I find that the claim has ceased to exist for all purposes and this application is therefore dismissed without leave to reapply.

Conclusion

The application 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: June 25, 2015

Residential Tenancy Branch

