



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PARKSIDE ESTATES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: *MNDC, FF*

Introduction

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* for a monetary order in the amount of \$549.22 to cover the cost of his time/supplies to prepare and serve evidence related to several applications for dispute resolution. Both parties attended the hearing and were given full opportunity to present evidence and make submissions. The landlord acknowledged receipt of evidence submitted by the tenant. Both parties gave affirmed testimony.

Issues to be decided

Is the tenant entitled to a monetary order?

Background and Evidence

The tenancy started in 2006. The tenant stated that the parties have been involved in multiple dispute resolution procedures and he is claiming the costs incurred by him to make application, prepare evidence and serve documents.

The tenant provided a monetary order worksheet as follows:

1.	Mailing on December 11, 12, 21 and 22, 2014 and January 06, 2015	\$67.03
2.	Bank Fee	\$5.00
3.	Parking ticket	\$40.00
4.	USB and DVDs	\$37.19
5.	Lost wages	\$400.00
	Total	\$549.22

Analysis

The legislation does not permit me to award any litigation related costs other than the filing fee. Accordingly the tenant's claim for the cost of mailing, USB DVDs is dismissed. The tenant referred to a prior hearing in January 2015, during which the rent cheque for December 2014 was discussed. The tenant stated that the landlord had it in his possession but the landlord denied having received it. The tenant proceeded to stop payment on the cheque and incurred a bank charge of \$5.00. The landlord continued to maintain that he had not received the cheque.

The Arbitrator in her decision dated January 13, 2015 decided on a balance of probabilities that the landlord had received the cheque. However, there is inadequate evidence before me to arrive at that conclusion and I am not bound by decisions made prior to this hearing. In addition, the tenant had the opportunity to discuss the bank charges incurred by him to cancel the cheque, during that hearing. Therefore I dismiss the tenant's claim to be reimbursed for the bank charges in the amount of \$5.00.

The tenant stated that when he came to the Residential Tenancy Branch Office, there was a huge line up and he defaulted on payment at the parking meter. The tenant received a parking violation ticket in the amount of \$40.00 and is claiming this amount. I find that there is no reason why the landlord should be responsible for parking violations by the tenant and therefore his application for \$40.00 is dismissed.

The tenant is claiming lost wages in the amount of \$400.00 for time spent preparing evidence and visiting the Residential Tenancy Branch Office. Again, the legislation does not permit me to award any litigation related costs other than the filing fee. The tenant has not proven his case and must bear the cost of filing his application.

Conclusion

The tenant's 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: September 09, 2015

Residential Tenancy Branch