



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

The Application for Dispute Resolution filed by the Tenants seeks a monetary order in the sum of \$1244.95.

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was served on the landlord by mailing, by registered mail to where the landlord resides on October 16, 2015. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided:

The issue to be decided is whether the tenants are entitled to a monetary order and if so how much?

Background and Evidence

The tenants originally moved into the rental property in 1997. The tenancy with respect to the rental unit in question began on July 1, 2002. The present rent is \$670 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$325 at the start of the tenancy.

The tenants claim relates to the expenses which they incurred as a result of the landlord renovating their rental unit.

Analysis

With regard to each of the tenants' claims I find as follows:

- a. The tenants were forced to remove their belongings and relocate for a period in September 2015 because of the landlord renovating the rental unit. I determined

the tenants are entitled to the sum of \$240 for the cost of a container to store their belongings while the renovations proceeded.

- b. I determined the tenants are entitled to the sum of \$402.50 for the cost of a hotel room for the period from September 7, 2015 to and including September 11, 2015 (5 days).
- c. I determined the tenants are entitled to \$325 for the additional cost of food and groceries which they paid as a result of the renovations process.
- d. I determined the tenants are entitled to \$75 for the cost of groceries they had to throw out because the landlord disconnected the fridge during the renovations..
- e. I dismissed the claim of \$191.85 for the cost of food given by the Brain Injury Society as this was a gift to the tenants and they did not suffer a loss.

Monetary Order and Cost of Filing fee

I ordered the landlord(s) to pay to the tenant the sum of \$1042.50 in satisfaction of this matter such sum may be deducted from future rent.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

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.

Conclusion:

In conclusion I ordered the landlord to pay to the tenant the sum of \$1042.50 such sum may be deducted from future rent.

Dated: April 26, 2016

Residential Tenancy Branch