



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD

Introduction

The Application for Dispute Resolution filed by the Tenant seeks a monetary order in the sum of \$1500 including a claim for double the security deposit and reimbursement of rent that was cashed by the landlord after the end of the tenancy. .

The applicant failed to contact the telephone bridge number at the scheduled start of the hearing. The respondent was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. I then proceeded with the hearing.

The landlord testified that in late February or early March 2014 the landlord obtained an Order for Possession. The bailiff was hired and executed a Writ of Possession on March 18, 2014. The landlord submits the tenant's claim is barred as it is out of time.

Section 60 of the Residential Tenancy Act provides as follows:

60(1) If this Act does not state a time by which an application for dispute resolution must be made, it must be made within 2 years of the date that the tenancy to which the matter relates ends or is assigned.

The Application filed by the Tenant was filed on April 14, 2016. The tenancy ended prior to March 18, 2016. I determined the Tenant failed to comply with section 60(1) of the Residential Tenancy Act and his claim is barred. As a result I dismissed his claim without leave to re-apply.

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, 2016

Residential Tenancy Branch

