



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

Decision Codes: MNDC, OLC

## **DECISION**

The Application for Dispute Resolution filed by the Tenant claims a monetary order in the sum of \$400

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 personally served on the respondent on November 15, 2016. 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 tenant is entitled to a monetary order and if so how much?

### **Background and Evidence:**

The tenancy began on November 13, 2017. The tenant paid the landlord rent in the sum of \$400. On November 15, 2017 the landlord illegally evicted the tenant. The tenant seeks reimbursement of the rent paid.

### **Analysis**

The tenant paid rent in the sum of \$400 for November. He was illegally evicted 2 days after he moved in. He is entitled to reimbursement of rent for the period of time he was forced out as well as damages for the illegal eviction. The Application claimed \$400. I determined the tenant is entitled to the amount claimed.

### **Monetary Order and Cost of Filing fee**

**I ordered the landlord(s) to pay to the tenant the sum of \$400.**

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 final and binding on the parties.**

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: May 15, 2017

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Residential Tenancy Branch