



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC, FF

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing via conference call and provided affirmed testimony.

At the outset the tenant had clarified that he was seeking a monetary claim for compensation under section 49 of the Act for Landlord's Use of Property. However, the tenant confirmed in his direct testimony that he was not served with a 2 Month Notice by the landlord. It was clarified with both parties that the tenant was not entitled to compensation under section 49 of the Act as he was not served with a 2 Month Notice.

I find that the tenant did not receive a notice to end tenancy under section 49 and as such is not entitled to compensation under section 51 of the Act, 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: August 31, 2017

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Residential Tenancy Branch