



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: CNC MNDC OLC FF

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for cause, as well as for a monetary order for compensation or loss under the tenancy agreement and an order that the landlord comply with the Act, regulation or tenancy agreement. The tenant, the landlord, and an articulated student advocating for the landlord all participated in the teleconference hearing.

During the hearing the tenant stated that the tenancy is over, he left at the end of April, and he has no intention of returning to the property. On that basis, I dismiss the portion of the tenant's application regarding cancellation of the notice to end tenancy. In the hearing the landlord stated that he sought vacant possession of the rental property through an order of possession. I therefore grant the landlord an order of possession, effective May 31, 2009. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

As the tenancy has ended, I need not consider the portion of the tenant's application regarding an order that the landlord comply with the Act, regulation or tenancy agreement, and I dismiss that portion of the application.

The only remaining issue to determine is whether the tenant is entitled to monetary compensation. The tenant stated that he sought compensation of \$4999 for the items of monetary value in the manufactured home, including new plumbing that he installed. The tenant submitted photographic and audio evidence that he did not disclose to the landlord, and that evidence was therefore not admitted or considered in this matter. The tenant did not provide any further supporting evidence, such as receipts or detailed amounts, to support his monetary claim. I therefore find that the tenant is not entitled to any of the monetary amount claimed, and I dismiss the tenant's application in its

entirety.

As the tenant's application was unsuccessful, he is not entitled to recovery of the filing fee for the cost of his application.

Dated May 21, 2009.