



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC

### Introduction

This is an application for a Monetary Order for \$500.00.

No documentary evidence has been provided by the parties for today's hearing however, I have given the parties the opportunity to give oral testimony, and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

Has the applicant established a monetary claim in the amount of \$500.00?

### Background and Evidence

The applicant testified that:

- An employee of the landlord moved into the room right above his rental unit, however this employee was very aggressive and noisy, doing such things as punching walls.

- He complained about this employee to the landlords, however the landlords took a full month to move this employee out of the rental property.
- He found the disruption from this employee to be too extreme for him to continue living in the rental property and therefore he chose to vacate.
- He believes the landlords should compensate him in the amount of \$500.00 to cover his loss of quiet enjoyment, and costs of having to vacate the rental unit.
- Had the landlord's dealt with this issue in a timely manner he would not have had to vacate.

The respondent's agent testified that:

- First of all they were not aware of what the applicant was claiming for, as the applicants failed to include any detailed calculation of the claim as required on the application for dispute resolution.
- Secondly, the applicant has provided no supporting documentation with this claim.
- Finally, they admit they did have problems with an employee/tenant living in the rental property; however they dealt with that issue as quickly as they could and he was moved out within a month of having received the complaints.

### Analysis

It is my finding that the applicant has not established a claim for compensation against the landlords.

The landlords admit that an employee/tenant living in the rental property was causing problems however it's my finding that the landlords dealt with the issue within a reasonable timeframe.

The applicant seems to believe that one month is not a reasonable timeframe in which to evict someone from a rental property, however in most cases the landlord would be required to give the tenant at least one months notice to vacate the rental property.

Therefore I'm not willing to allow this claim for compensation.

### Conclusion

This application is dismissed without leave to reapply.

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: June 03, 2014

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Residential Tenancy Branch

