



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LI-CARE MANAGEMENT GROUP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, RR

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a notice to end tenancy for non-payment of rent issued on February 4, 2014 and to allow a tenant to reduce rent for repairs.

Both parties appeared.

Preliminary matter

At the outset of the hearing the tenant asked permission to make a private recording of the hearing. The tenants request was denied as private recording are not permitted under Rule 9.1 of the Residential Tenancy Branch Rules of Procedures.

At the outset of the hearing the landlord's agent stated that they are no longer seeking to end the tenancy for non-payment of rent and agreed the tenancy will continue.

The tenant's application further seeks to be allowed to reduce rent for repairs. However, no particulars were provided in the details of dispute. Section 59 (2) of the Act states an application for dispute resolution must include full particulars of the dispute that is to be the subject of the dispute resolution proceedings. The principles of natural justice require that a person be informed and given particulars of the claim against them. As a result, the tenant's application to be allowed to reduce rent for repairs was dismissed with leave to reapply.

Conclusion

The notice to end tenancy for non-payment of rent issued on February 4, 2014, is cancelled and has no force or effect. The tenancy will continue until legally ended in accordance with the Act.

The tenant's application to be allowed to reduce rent for repairs is dismissed with 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: April 01, 2014

Residential Tenancy Branch

