



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding KI-LOW-NA FRIENDSHIP SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FFT, LRE, OLC

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on October 10, 2018 (the "Application"). The Tenant applied to suspend or set conditions on the Landlord's right to enter the rental unit and for an order that the Landlord comply with the *Residential Tenancy Act* (the "Act"), *Residential Tenancy Regulation* and/or the tenancy agreement. The Tenant sought reimbursement for the filing fee.

The Tenant appeared at the hearing. J.W. appeared at the hearing for the Landlords.

I called into the teleconference at 11:00 a.m. as scheduled. J.W. was on the line. The Tenant was not. I asked J.W. if this matter had been resolved. J.W. advised that the Tenant was vacating the rental unit December 1, 2018.

I waited for the Tenant to call into the teleconference and he did so at 11:06 a.m. Given what J.W. had said in relation to the Tenant vacating the rental unit, I asked the Tenant if he was proceeding with the Application. The Tenant advised that he was. I asked the Tenant if he was vacating the rental unit December 1, 2018 and he confirmed he was. The Tenant said he wanted the issues raised in the Application dealt with and logged. He also said he wants the Landlord to know the rules under the *Act*.

In relation to the request to suspend or set conditions on the Landlord's right to enter the rental unit, the Tenant said he wanted an order that the Landlord comply with section 29 of the *Act*.

In relation to the request for the Landlord to comply with the *Act*, *Regulation* and/or the tenancy agreement, the Tenant said he wanted an order that the Landlord comply with section 27 of the *Act*. The Tenant said this related to the Landlord terminating his

access to the parkade in circumstances where parking is included in the tenancy agreement.

I decline to make findings or issue the requested orders in this matter given the date of this hearing and the confirmation by the Tenant that he is vacating the rental unit December 1, 2018. I find that the issues raised in the Application are moot points given the Tenant is vacating the rental unit in four days.

I note that all landlords, including the Landlord, are bound by the *Act* including section 27 and 29 of the *Act*.

Conclusion

The Application is dismissed without leave to re-apply as the issues raised in it are moot points given the Tenant is vacating the rental unit December 1, 2018.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: November 27, 2018

Residential Tenancy Branch