



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR CNC LRE PSF RP OLC

Introduction

This hearing was convened in response to the tenant's Application for Dispute Resolution, dated October 23, 2019 (the Application). Pursuant to the *Residential Tenancy Act* (the Act), the tenant applied for the following relief.

- To cancel the landlord's Ten Day Notice to End Tenancy for Unpaid Rent
- To cancel the landlord's One Month Notice to End Tenancy for Cause
- An Order to control the landlord's right to enter the rental unit
- An Order compelling the landlord to make certain repairs
- An Order compelling the landlord to provided services or facilities under the tenancy agreement or required by law
- Order the landlord to comply with the Act

Both parties attended the hearing. The parties acknowledged attending a previous hearing in mid-November 2019 in which the parties agreed to resolution of a series of matters including ending the tenancy on December 03, 2019. The parties acknowledged the tenancy has ended and the tenant has vacated the rental unit.

Preliminary matters

As all the tenant's claims on application are in respect to an ongoing tenancy, the tenant was provided opportunity to inform about what remedy they were seeking in this hearing. The tenant was prompted that it appeared from their evidentiary submissions they were seeking monetary relief, despite not having applied for such. The landlord stated they had not been served with an application for a monetary matter. The tenant stated they had made more than one application, and that they had filed an amendment to the application of this hearing through Service BC to alter their monetary claim, albeit not having originally made such a claim. The landlord denied having been notified of a

monetary claim, which the tenant did not dispute. Ultimately, the tenant stated they had no monetary claim, however sought for the landlord to return personal property.

Analysis and Conclusion

I found, as the tenancy has ended, that the tenant's claims on application are no longer relevant or for which a remedy is now available under the Act. I have also not been presented with evidence the tenant filed an application containing a monetary claim or that they served the landlord with any notice (amendment) indicating a monetary claim against them. As a result of all the above, the tenant's original application in this matter is **dismissed**, *without leave to reapply*.

Both parties were informed they are at liberty to apply for further relief if an application is made within the two-year limitation imposed by Section 60 of the Act. In their determinations, it is available to the parties to consult an Information Officer at the Residential Tenancy Branch.

This Decision is final and binding.

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: December 10, 2019

Residential Tenancy Branch