



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes OLC, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (the Application) that was filed by the Tenants on November 18, 2022, under the *Residential Tenancy Act* (the Act), seeking:

- An order for the Landlord to comply with unspecified sections of the Act; and
- Recovery of the filing fee.

The hearing was convened by telephone conference call at 9:30 A.M. (Pacific Time) on April 3, 2023, and was attended by the Tenants, the Landlord, the Landlord's spouse, and the Landlord's interpreter. All testimony provided was affirmed. As the Landlord acknowledged service of the Notice of Dispute Resolution Proceeding (NODRP), and stated that there are no concerns regarding the service date or method, the hearing proceeded as scheduled. The parties were provided the opportunity to present their evidence orally and in written and documentary form, to call witnesses, and to make submissions at the hearing.

The parties were advised that interruptions and inappropriate behavior would not be permitted and could result in limitations on participation, such as being muted, or exclusion from the proceedings. The parties were asked to refrain from speaking over me and one another and to hold their questions and responses until it was their opportunity to speak. The parties were also advised recordings of the proceedings are prohibited, except as allowable under rule 6.12, and confirmed that they were not recording the proceedings.

Although I have reviewed all evidence and testimony before me that was accepted for consideration as set out above, I refer only to the relevant and determinative facts, evidence, and issues in this decision.

At the request of the parties, copies of the decision and any orders issued in their favor will be emailed to them at the email addresses confirmed in the hearing.

Preliminary Matters

I advised the parties that I was unsure what the Tenants were seeking in the Application, as the issues description cited several issues, such as an unlawful rent increase, a notice to end tenancy for use of the rental unit by a family member, and re-rental of the property. As a result, I was unclear if the Tenants were seeking cancellation of a notice to end tenancy, monetary compensation, or both.

The Tenants stated that they are seeking monetary compensation as they vacated the rental unit near the end of 2022. However, the Tenants have not sought monetary compensation in the Application, nor have they filed a Monetary Order Worksheet. I therefore dismissed the Application with leave to re-apply, except for recovery of the filing fee, as the Application does not include full particulars and the Tenants are seeking monetary compensation when no such compensation has been sought in the Application.

Conclusion

The Application is dismissed with leave to reapply, with the exception of the claim for recovery of the filing fee, which I dismiss 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 Act.

Dated: April 3, 2023

Residential Tenancy Branch