



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## Decision

Dispute Codes: CNR, ERP, RP, LRE, MNDC

## Introduction

This matter dealt with an application by the Tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and Utilities dated December 2, 2008, for an order that the Landlord make emergency repairs or general repairs, for an order that the Landlord comply with the Act, for an order suspending the Landlord's right to enter the rental unit, and for an order allowing the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided. On December 17, 2008, the Tenant amended his application to include a monetary claim for damages. The hearing was originally scheduled for December 19, 2008, however, it was adjourned as the Tenant had not properly served the Landlord with a copy of the Application and Notice of Hearing.

In the interim, there have been 2 proceedings between these parties. In file #724362 heard on December 24, 2008, the Tenant was granted an Order of Possession. He also sought a monetary order for damages, however, that part of his claim was dismissed and he was given leave to re-apply. In file #724353 heard on December 29, 2008, the Landlord was granted an Order of Possession and a monetary order for unpaid rent. As a result of the last hearing, the Tenant admitted that there was no need to proceed with his application to set aside the Notice to End Tenancy, for emergency repairs or general repairs, for an order that the Landlord comply with the Act, for an order suspending the Landlord's right to enter the rental unit, or for an order allowing the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

The Tenant wished to proceed with his monetary claim for compensation. I note that the Tenant initially sought compensation of \$3,850.00 but later increased that amount to \$23,654.00 to reflect the replacement cost of personal possessions he says he discovered were damaged or missing after the tenancy ended (on or about December 30, 2008). RTB Rule of Procedure 2.3 states as follows:

"If, in the course of the dispute resolution proceeding, the Dispute Resolution Officer determines that it is appropriate to do so, the Dispute Resolution Officer may dismiss unrelated disputes contained in a single application with or without leave to re-apply."

I find that the Tenant's application for a monetary order for compensation is unrelated to the relief he originally claimed in this matter and it is dismissed with leave to re-apply.

### Conclusion

The Tenant's application for a monetary order for compensation is dismissed with leave to reapply. The balance of the Tenant's application is dismissed.