



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MT, DRI, CNR

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking more time to apply to cancel a notice to end tenancy; to cancel a notice to end tenancy; and to dispute an additional rent increase.

The hearing was conducted via teleconference and as attended by the tenant and the landlord.

At the outset of the hearing the tenant confirmed that she was moving from the rental unit today and as such there is no need to allow more time to make an application to cancel a notice to end tenancy or to cancel the notice itself. I amend the tenant's application to exclude these matters.

The tenant also identified that she wanted to amend her application to include a monetary claim for a portion of hydro costs and for the costs associated with her need to move from the rental unit. As the tenant had not filed for a monetary order at all, I did not allow the amendment as it would prejudice the landlord in that she had not been informed that any monetary award might be considered at this time.

Issues(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel an additional rent increase and to a monetary order to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 42, 43, 67, and 72 of the *Residential Tenancy Act (Act)*.

Analysis

As the tenant has applied to dispute an additional rent increase but has not requested any compensation for additional rent that may have been paid as a result of a non-

compliant rent increase and since the tenancy is now ending, I find this portion of the tenant's application is moot

Conclusion

For the reasons noted above, I dismiss the tenant's application in its entirety.

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 15, 2010.

Dispute Resolution Officer