

DECISION

Dispute Codes MT, CNC, CNL, MNDC, ERP, PSF, LRE, OPT, AAT, LAT, RR, SS

Introduction

This is an application filed by the Tenant for more time to make an application to cancel a notice to end tenancy, to cancel a notice to end tenancy for cause, to cancel a notice to end tenancy for Landlord's use of the property, a monetary order request for loss of quiet enjoyment, to make emergency repairs, to have the Landlord provide services or facilities required by law, to suspend of set conditions on the Landlord's right to enter the rental unit, to obtain an order of possession of the rental unit, to allow access to (or from) the unit or site for the Tenant or the Tenant's guests, to authorize the Tenant the change the locks to the rental unit, to allow the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided and to serve documents or evidence in a different way than required by the Act.

The Tenant attended the hearing by conference call and gave testimony. The Landlord did not attend. The Tenant states that the Landlord was personally served with the notice of hearing and evidence package on March 8, 2012. The Tenant has not been able to provide any evidence of service.

At the beginning of the hearing the Tenant stated that he was awaiting a review decision for another hearing between these two parties on Residential Tenancy Branch File No. 787074. The Tenant states that this was an application filed by the Landlord for an early end of the Tenancy in which the Landlord was granted an order of possession. The Tenant filed an application for review which was dismissed on March 27, 2012. As the Tenant is still awaiting delivery of this decision he was informed by this writer of the outcome. On the basis of this outcome, possession has already been decided in favour of the Landlord in an early end to tenancy and I find that there is no need to deal with any issues from this application concerning possession and any issues relating to the continuance of the Tenancy. The Tenant has also withdrawn his request to serve documents in a different way than required by the Act. The remaining issue that can be dealt with is the Tenant's monetary claim.

The Tenant was unable to satisfy me that the Landlord had been served the Notice of Hearing Documents in accordance with the Act and as a result, I dismiss the Tenant's application with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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: March 28, 2012.

Residential Tenancy Branch