



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      AAT, CNC, ERP, FF, LRE, PSF, RP, RPP, RR

### Introduction

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing; however the landlord has provided no evidence of having served the tenant with a copy of his evidence package and therefore the landlords evidence package was not considered at the hearing.

I gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Decision and reasons

There is really nothing for me to deal with at this hearing, because although the applicant had applied to have two Notices to End Tenancy cancelled; at the hearing she informed me that she is vacating and has in fact nearly removed all her belongings.

The applicant also request an order for the return of personal property, however at the hearing she informed me that she has been able to access all her personal property.

The applicant also requested an order to make repairs to the unit, orders for emergency repairs, orders to suspend the landlords right to enter, orders to allow access to or from

the unit for the tenant or her guests, however since the tenant has virtually vacated there is no need for me to make any such orders.

Further although the tenant claims that she was denied access to the storage area where she had numerous belongings, the tenant has not met the burden of proving that claim.

Further although the tenant disagrees on the amount of rent outstanding, she has admitted that there is still some rent outstanding and therefore the 10 day Notice to End Tenancy would not have been cancelled anyway.

### Conclusion

I will not be issuing any orders in favour of the tenant, and at the request of the landlord I have issued an Order of Possession enforceable two days after service on the tenant.

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 14, 2012.

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Residential Tenancy Branch