



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP, ERP, CNR, LRE, FF

Introduction

This hearing dealt with the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice"), to dispute an additional rent increase, an order requiring the landlord to make repairs and emergency repairs, an order suspending or setting conditions on the landlord's right to enter the rental unit, for an order allowing a reduction in rent and for recovery of the filing fee.

The parties appeared and at the outset of the hearing, the tenant confirmed that she has now vacated the rental unit. The tenant further stated that she and the landlord had a walk-through inspection and that her security deposit was returned to her.

Preliminary matters-

As a result of the tenancy having ended prior to the hearing, I dismissed the tenant's application seeking cancellation of a Notice to end the tenancy and the ancillary requests seeking orders for the landlord, more specifically an order requiring the landlord to make repairs and emergency repairs and an order suspending or setting conditions on the landlord's right to enter the rental unit.

I have determined that the monetary portion of the tenant's application dealing with a request for a rent reduction is unrelated to the primary issue of disputing the Notice. As a result, pursuant to section 2.3 of the Residential Tenancy Branch Rules of Procedure, I have severed the tenant's Application and dismissed that portion of the tenant's for monetary compensation, with leave to reapply.

Analysis and Conclusion

The portion of the tenant's application seeking cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent, an order requiring the landlord to make repairs and emergency repairs and an order suspending or setting conditions on the landlord's right to enter the rental unit is dismissed, without leave to reapply.

The monetary portion of the tenant's application seeking an order allowing a reduction in rent is dismissed, with leave to reapply.

As I have dismissed the tenant's application, I make no findings on the merits of the landlord's Notices.

I decline to award the tenant recovery of her filing fee.

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* and is being mailed to both the applicant and the respondent.

Dated: November 07, 2012.

Residential Tenancy Branch