



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O

Introduction

This was an application by the tenant for unspecified relief. The hearing was conducted by conference call. The tenant and the landlord's representative called in and participated in the hearing.

Background and Evidence

The tenant rented the rental unit and moved out before the end of the fixed term provided by the tenancy agreement. She brought this application seeking a determination that she should not be liable for any rent, loss of revenue or damages after the date that she moved out of the rental unit.

AnalysisConclusion

The determination and decision requested by the applicant is not appropriate. The landlord has not advanced a claim against her for loss of revenue for ending the tenancy before the end of the fixed term or for any other matter. The landlord's representative did say at the hearing that the landlord has suffered a loss of revenue as a result of the tenant's breach of the fixed term tenancy agreement and that he anticipated receiving instructions to apply for dispute resolution to request a monetary award. If the landlord makes such a claim it will be open to the tenant to reply to the application and present evidence and make submissions in opposition to the landlord's claim, but it is not appropriate for me to make a pre-emptive determination as to the merits of the landlord's claim before it has been made. The tenant has not identified

any relief to which she is entitled on this application and the application is dismissed without leave to reapply

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: January 25, 2013

Residential Tenancy Branch

