



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Kenmark Investments Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, CNR, O

Introduction

This matter dealt with an application by the tenant to cancel a One Month Notice to End Tenancy for cause; to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and other issues. At the outset of the hearing it was determined that the tenant moved from the rental unit on April 30, 2013 returning to clean the unit on May 01, 2013.

The tenant stated that she had amended her application to include a Monetary Order for money owed or compensation for damage or loss; however, I have no evidence that an amended application for a Monetary Order has been filed with this office or that the landlord has been served with an amended application other than the two amended applications included in the tenants file. In the absence of a formal and proper application for a Monetary Order, I declined to hear or determine this issue, as to do so, in my view, would not be in keeping with the principles of natural justice as to the requisite process and notice regarding claims in this proceeding.

Therefore, as the only items on the tenant's application were to cancel these Notices and other issues and the tenant has since moved from the rental unit, no hearing took place today and the tenant's application is dismissed.

The tenant is at liberty to file an application for a monetary claim against the landlord.

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: May 02, 2013

Residential Tenancy Branch

