



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** CNC; OLC; RP; FF

### **Introduction**

This Hearing dealt with the Tenant's application to cancel a Notice to End Tenancy for Cause issued October 28, 2013 (the "Notice"); for an Order that the Landlords comply with the Act, regulation or tenancy agreement; for an Order that the Landlords make repairs to the rental unit; and to recover the cost of the filing fee from the Landlords.

The parties gave affirmed testimony at the Hearing.

The Tenant testified that he served the Landlords with the Notice of Hearing documents by registered mail, but he could not recall the date that he mailed the documents. The Landlord stated that the Landlords received the documents by registered mail, although she could not recall the date either.

On November 18, 2013, the Tenant provided 49 pages and 14 photographs to the Residential Tenancy Branch in evidence. He stated that he did not serve the Landlords with copies of his documentary evidence because no one told him that he had to.

On November 27, 2013, the Landlords provided the Residential Tenancy Branch with 33 pages of evidence. The Landlord stated that she sent the Landlords' documentary evidence to the Tenant by express post on November 25, 2013.

Based on the testimony of both parties, I am satisfied that the Landlords received the Notice of Hearing documents. I explained to the parties that I would not consider either of their documentary evidence, but that I would hear their verbal testimony with respect to its contents.

### **Preliminary Matter**

At the outset of the Hearing, the Tenant stated that he was moving out of the rental unit on Sunday, December 1, 2013.

The Tenant stated that he wished to apply for financial compensation from the Landlords for harassment and loss of peaceful enjoyment.

I explained to the parties that the tenancy is ending and therefore the Tenant's application is dismissed in its entirety. The Tenant is at liberty to file another Application for Dispute Resolution for compensation, but there was no such application on his application filed November 5, 2013.

An information sheet accompanies this Decision and includes a link to the Residential Tenancy Branch's website, where the parties can find the Residential Tenancy Act and Regulation as well as other guidelines and policies.

Fact sheets are available at <http://www.rto.gov.bc.ca/content/publications/factSheets.aspx> that explain evidence and service requirements. If either party has any questions they may contact an Information Officer with the Residential Tenancy Branch at:

**Lower Mainland:** 604-660-1020

**Victoria:** 250-387-1602

**Elsewhere in BC:** 1-800-665-8779

### **Conclusion**

The Tenant's application is dismissed.

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: November 29, 2013

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Residential Tenancy Branch

