



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MainStreet Equity Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes DRI, OLC, OPT, O

This is an application filed by the tenant to dispute an additional rent increase, for an order for the landlord to comply with the Act, regulation or tenancy agreement and to obtain an order of possession.

Both parties attended the hearing by conference call and gave testimony. As both parties have attended and have confirmed receipt of the notice of hearing package, I am satisfied that both parties have been properly served.

The landlord has confirmed that no documentary evidence was submitted and that they are in receipt of the tenant's documentary evidence.

Discussions with both parties clarified that the tenants are only seeking an order of possession of the rental unit. The landlord gave direct testimony that the unit in dispute was re-rented to new tenants and is no longer available. The tenants have confirmed this. As such, I find that the tenant's application is dismissed as there are third party rights of the new tenants. The tenants may seek alternative remedies in an application for dispute.

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: October 03, 2014

Residential Tenancy Branch

