



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ARDEN APARTMENTS & OLEG LITWINOW
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, ERP, LRE, MT

Introduction

At the start of the conference call it was determined that the Tenant's application to dispute the Notice to End Tenancy for Cause had been previously heard on March 31, 2014. The Tenant was unsuccessful and an Order of Possession was issued to the Landlord dated March 31, 2014. The Tenant's application for that hearing was dismissed without leave to reapply. The Tenant said he is now disputing the Order of Possession that was served on him as he was evicted on September 9, 2014. The Arbitrator told the Tenant he was unsuccessful in disputing the Notice to End the Tenancy and he cannot dispute an Order of Possession. The Tenant said it did matter because he has been evicted. The parties had additional discussion about the Tenant's security deposit and costs the Landlord has incurred in the eviction. Both parties said they will consider making future applications for monetary compensation.

Given that the tenancy is finished, the Tenant was unsuccessful in disputing the original Notice and the Landlord received an Order of Possession to evict the Tenant, I find the application has been heard and a decision and order written; therefore this application has no grounds to be heard. I dismiss the Tenant's application 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: October 22, 2014

Residential Tenancy Branch

