



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OLC, PSF

This hearing dealt with an application by the tenants for orders compelling the landlord to comply with the Act and provide services or facilities. Both parties participated in the conference call hearing.

At the hearing, the tenants advised that they had vacated the rental unit. I asked the tenants if there was a need to proceed with the hearing as the tenancy had ended and they stated that they wanted compensation. The tenants' application requested just 2 orders: an order that the landlord comply with the Act and an order compelling the landlord to provide services or facilities. I explained to the tenants that if they wanted to claim compensation, they would have to formally make that claim through an application for dispute resolution rather than merely requesting compensation at the hearing. The tenants insisted that they were told by a government agent and on the telephone by a Residential Tenancy Branch staff member that in order to claim compensation they simply had to ask that the landlord be ordered to comply with the Act.

I advised the tenants that they must have misunderstood the staff members as compensation is not automatically attached to a request that the landlord be ordered to comply with the Act. At this point, the male tenant became verbally abusive and the hearing was terminated.

As the tenancy has ended, the orders requested by the tenants are moot and I dismiss the claim.

I note that the landlord had made arguments in his written submissions that this tenancy does not fall under the jurisdiction of the *Residential Tenancy Act*. I made no finding on this issue as I did not take testimony from the parties. The landlord is free to make those arguments should the tenants file a future claim against him.

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 25, 2014

Residential Tenancy Branch

