



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNDC, CNC, ERP, PSF, FF

Introduction

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* to cancel a notice to end tenancy for cause, for an order directing the landlord to provide services and carry out repairs and for a monetary order for compensation.

The tenant's application was initially heard on January 09, 2015 for 59 minutes and was adjourned to allow the parties additional time to present evidence and have their witnesses testify. Both parties attended the hearings and were given full opportunity to present evidence and make submissions.

At the start of the hearing on this date (February 11, 2015), the parties informed me that the tenant had moved out and therefore the tenant's application to cancel the notice to end tenancy and for an order directing the landlord to carry out repairs and provide services is moot. Accordingly, this hearing dealt with the remainder of the tenant's application which was his application for a monetary order for compensation. However, also at the start of the hearing, the tenant informed me that he intended to pursue his monetary claim in the Supreme Court of Canada. The tenant requested that his application for compensation be dismissed with leave to reapply.

Conclusion

At the tenant's request, this application is dismissed with leave to seek the appropriate legal remedy to this 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: February 11, 2015

Residential Tenancy Branch

