



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Lookout Emergency Aid Society  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      OLC

### Introduction

This was a hearing with respect to the tenant's application that the landlord comply with the *Residential Tenancy Act*, Regulation or tenancy agreement. The hearing was scheduled to be heard in person at the office of the Residential Tenancy Branch in Burnaby, at 9:00 A.M on May 8, 2015. The landlord's representatives attended at the Residential Tenancy Branch at the appointed time. By 9:15 A.M. the tenant had not appeared. I advised the landlord's representatives that the hearing was concluded and that I would issue a written decision.

### Issue(s) to be Decided

Should the landlord be ordered to change door locks or to remove items of furniture from the rental unit?

### Background and Evidence

On June 25, 2014 the tenant's application for cancel a Notice to End Tenancy for cause and for other relief was heard by conference call. The arbitrator who heard the tenant's application issued a decision and order on July 3, 2014. The tenant's application was dismissed and the landlord was granted an order for possession effective two days after service on the tenant. The arbitrator noted in his decision that the landlord had agreed to change the locks to the rental unit in response to the tenant's request.

In the application before me, which was filed on March 27, 2015, the tenant requested that: "Landlord to remove 2 items, at landlord's expense": She said that:

1. As per a decision of Arbitrator (name) (July 3, 2014) my landlord did not change both door locks.
2. Tenant requests that landlord removes 2 items of furniture which belong to the landlord at a time to be arranged with the tenant at landlord's expense.

The tenant did not submit any documentary evidence in support of her application for dispute resolution. The landlord submitted a copy of an order of the Supreme Court of British Columbia pronounced on April 20, 2015 and entered on April 23, 2015. The order dismissed the tenant's application for judicial review of the July 3, 2014 decision of the Residential Tenancy Branch and ordered that the tenant vacate the rental unit no later than June 1, 2015.

At the hearing the landlord's representatives testified that the Supreme Court order was made after the court conducted a hearing of the tenant's petition for judicial review. The landlord's representatives said that the landlord changed the locks to the rental unit as it promised to do. The landlord's representatives said that they have no knowledge of the basis for the tenant's other request to have furniture removed from the rental unit and they pointed out that the tenant must move out of the rental unit in three weeks.

### Analysis

The hearing of the tenant's application was scheduled to commence at 9:00 A.M. When the tenant failed to attend the hearing by 9:15 A.M., I excused the landlord's representatives from the hearing. I informed them that in the absence of an appearance by the tenant, her application would be dismissed without leave to reapply and that I would issue a written decision to record the outcome. After the hearing was concluded and after the landlord's representatives had departed, the tenant arrived at the Residential Tenancy Branch office. I informed her of the outcome of the hearing and told her that the written decision would be mailed to her.

### Conclusion

The tenant's application for dispute resolution is dismissed 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: May 08, 2015

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Residential Tenancy Branch

