



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Vancouver Management Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, O, FF

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking an order to have the landlord comply with the *Residential Tenancy Act (Act)*, regulation or tenancy agreement.

The hearing was conducted via teleconference and was attended by the tenant; the landlord and an agent for the landlord.

At the outset of the hearing the tenant clarified that she was seeking, under Section 47 of the *Act*, an order to require the landlord to issue a 1 Month Notice to End Tenancy for Cause to another tenant. I advised the tenant that I did not have authority to issue any orders to the landlord regarding a tenancy with a different tenant.

I asked the tenant to explain what else she was seeking with her Application and she stated that she wanted compensation for the landlord's failure to ensure quiet enjoyment. However, I noted that the tenant did not identify on her Application for Dispute Resolution that she was seeking a monetary order for any reason or did she indicate how much she was seeking in compensation.

The tenant referred to her submissions and noted that she had a typed letter when she submitted her evidence. I note the tenant submitted her Application for Dispute Resolution on July 2, 2015 and her evidence on August 5, 2015. In this letter she states:

"This is the tenants application an order that the landlords comply with the act, regulations or tenancy agreement an my request for compensation under the following acts:

- Number 28 Section b and d
- Number 47 Section 1 e (ii)." [reproduced as written]

Residential Tenancy Branch Rule of Procedure 2.11 states, in part, "an amended application must be clearly identified, and be provide separately from all other documents". While the tenant submitted her type written letter with 23 other pages of evidence and did not stipulate an amount that she was seeking, I find the tenant failed

to amend her Application for Dispute Resolution in accordance with the Rules of Procedure and in any event failed to indicate an amount of compensation sought.

As a result, I find the tenant has failed to apply for compensation from the landlord in relation to a loss of quiet enjoyment.

As a result of the above, I find there is nothing in the tenant's Application for Dispute Resolution that either falls within my authority under the *Act* or has been sufficiently identified as a remedy sought by the tenant.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to an order to have the landlord comply with the *Act*, regulation or tenancy agreement and to recover the filing fee from the landlords for the cost of the Application for Dispute Resolution, pursuant to Sections 28, 47, 67, and 72 of the *Act*.

Conclusion

Based on the above, I dismiss the tenant's Application for Dispute Resolution in its entirety.

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: September 02, 2015

Residential Tenancy Branch

