



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **INTERIM DECISION**

Dispute Codes      MNDC MNSD OLC ERP

### Introduction

This hearing convened pursuant to the tenant's application for an order for emergency repairs, an order that the landlord comply with the Act, regulation or tenancy agreement and monetary compensation including recovery of the security deposit. The tenant, the tenant's advocate, the landlord and two agents for the landlord all called in to the teleconference hearing.

### Preliminary Issues

#### *Order for Emergency Repairs and Order for Landlord to Comply*

The landlord stated that the tenant moved out of the rental unit, and as of July 31, 2015 they have new tenants occupying the unit. I informed the parties that as a new tenancy has begun, I cannot make repair orders or order the landlord to comply with the Act, regulation or tenancy agreement. I therefore dismissed those portions of the tenant's application.

#### *Tenant's Monetary Claim*

The tenant stated that she only received the landlord's evidence yesterday, and she has not had time to consider it. I therefore found it was appropriate to adjourn the tenant's monetary claim.

The tenant requested permission to amend her monetary claim to seek a higher amount of compensation. I have determined that it is not appropriate to allow an amendment in this case, as the landlord has already submitted evidence regarding the tenant's original claim and it would not be procedurally fair to require the landlord to respond to other issues in this application.

Conclusion

The portions of the tenant's claim regarding an order for emergency repairs and an order that the landlord comply with the Act are dismissed.

The tenant's monetary claim, including her claim for recovery of the security deposit, is adjourned to the date and time set out in the enclosed notice of hearing.

The only evidence that may be submitted prior to the reconvened hearing is the tenant's response to the landlord's evidence. The tenant may not amend the application to claim greater monetary compensation. No other files may be attached to this file.

It is open to the tenant to withdraw this application and make a new application for monetary compensation in a greater amount. If the tenant decides to withdraw this application she must inform the Branch or the hearing will proceed on the reconvene time and date.

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 16, 2015

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Residential Tenancy Branch

