



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Landlord: OPC, FF
Tenant: OPT, LAT, O, FF

Introduction

This hearing dealt with cross Applications for Dispute Resolution. Both parties sought an order of possession. The tenant also sought an order to change the locks of the rental unit.

The hearing was conducted via teleconference and was attended by the landlord; the tenant and her advocate.

At the outset of the hearing the parties confirmed the tenant is no longer living in nor has possession of the rental unit. As a result, the landlord confirmed that she no longer requires an order of possession. The tenant also confirmed that she no longer seeks an order of possession.

As a result, I also find that the request by the tenant to have the locks on the rental unit changed is moot. As to the tenant's remaining item identified on her Application for Dispute Resolution as "other" with a handwritten notation stating "seeking damages" I note that the tenant provided no indication of an amount of money claimed for any such damages sought.

Section 59(2) of the *Residential Tenancy Act (Act)* requires that an application for dispute resolution must be in the applicable approved form; include full particulars of the dispute that is to be the subject of the dispute resolution proceedings, and be accompanied by the fee prescribed in the regulations. I find the tenant has therefore failed to provide the full particulars of her claim sufficiently to allow the landlord to sufficiently prepare for her response.

Conclusion

Based on the above, I dismiss the parts of each respective Application seeking orders of possession and to recover their respective filing fees from each respondent.

I also dismiss the portion of the tenant's Application seeking an order to have the landlord change the locks of the rental unit.

Finally, I dismiss the portion of the tenant's Application "seeking damages". On this issue I grant the tenant 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: October 08, 2015

Residential Tenancy Branch

