



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC RP LRE

Introduction and Analysis

This hearing dealt with the tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "*Act*") for an order directing the landlord to comply with the *Act*, regulation or tenancy agreement, to make regular repairs to the unit, site or property, and to suspend or set conditions on the landlord's right to enter the rental unit.

The tenant attended the teleconference hearing. The landlord did not attend the hearing. At the outset of the hearing, the tenant testified under oath that her personal items were removed from the rental unit by the landlord without her permission. The tenant stated that he was currently residing in a temporary accommodation until she could apply to get possession of the rental unit back from the landlord.

As a result, I find that the tenant's application is premature as the tenant is not currently occupying the rental unit and the tenant's application directly relates to remedies under the *Act* that would only apply if she was occupying the rental unit. Therefore, **I dismiss** the tenant's application **with leave to reapply**. I note this decision does not extend any applicable time limits under the *Act*.

Conclusion

The tenant's application is dismissed with leave to reapply. This decision does not extend any applicable time limits under the *Act*.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: November 25, 2015

Residential Tenancy Branch

