



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding HFBC Housing  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes MT, CNR, RP, LAT, RR

### Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking more time than prescribed to dispute a notice to end the tenancy; for an order cancelling a notice to end the tenancy for unpaid rent or utilities; for an order that the landlord make repairs to the unit, site or property; for an order permitting the tenant to change the locks to the rental unit; and for an order reducing rent for repairs, services or facilities agreed upon but not provided.

The tenant and an agent for the landlord company attended the hearing, and the landlord's agent was accompanied by a witness.

During the course of the hearing, the landlord's agent advised that the landlord has obtained an Order of Possession and a monetary order for unpaid rent by way of the Direct Request process. I explained to the parties that the legal principle of *res judicata* which prevents rehearing of claims and issues arising from the same cause of action between the same parties, after a final judgment was previously issued on the merits of the case. In this case, given that the landlord has an Order of Possession and a monetary order for unpaid rent, I have no authority to change that order, and the tenant's application to cancel the notice to end the tenancy must be dismissed.

Since the tenancy is ending, I dismiss the tenant's applications for an order that the landlord make repairs to the unit, site or property and for an order permitting the tenant to change the locks to the rental unit.

The tenant also applied for an adjournment to allow the tenant to seek legal counsel, but abruptly left the call before I had ruled on the application. Therefore, I dismiss the balance of the tenant's application. The tenant, however, is at liberty to apply for monetary compensation for repairs, services or facilities agreed upon but not provided.

Conclusion

For the reasons set out above, the tenant's application for more time than prescribed to dispute a notice to end the tenancy is hereby dismissed without leave to reapply.

The tenant's application for an order cancelling a notice to end the tenancy for unpaid rent or utilities is hereby dismissed without leave to reapply.

The tenant's application for an order that the landlord make repairs to the unit, site or property is hereby dismissed without leave to reapply.

The tenant's application for an order permitting the tenant to change the locks to the rental unit is hereby dismissed without leave to reapply.

The tenant's application for an order reducing rent for repairs, services or facilities agreed upon but not provided is hereby dismissed, and the tenant is at liberty to make an application for compensation.

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: April 21, 2016

---

Residential Tenancy Branch