



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC OPT, LAT, FF

Introduction

On May 4, 2016, the Tenant submitted an Application for Dispute Resolution asking to cancel a 1 Month Notice to End Tenancy for Cause; for an order of possession; to allow access to and from the unit; for authorization to change the locks; and to recover the cost of the filing fee.

The matter was set for a conference call hearing at 9:00 a.m. on this date. Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence, orally and in written and documentary form, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary Issue

The Tenant testified that on May 26, 2016, the Landlord came into her suite and packed up all of her belongings and dropped her possessions off at her father's property.

The Tenant testified that she is no longer living in the rental suite. The Tenant testified that she does not want to move back to the rental unit and is not seeking an order of possession. The Tenant testified that she would like to seek compensation due to the actions of the Landlord improperly ending her tenancy and breaking some of her possessions.

The Tenant's application does not include a claim for compensation for damage or loss under the Act, regulation or tenancy agreement.

Analysis

Since the Tenant is no longer living in the rental unit and does not want to move back to the rental unit, there is no reason to consider whether or not the 1 Month Notice to End Tenancy For Cause (the Notice) dated April 30, 2016, is valid. The Tenant's application to cancel the Notice and for an order of possession and access are dismissed.

The Tenant was informed that she has leave to reapply for a dispute resolution hearing regarding compensation for damage or loss related to her allegations that the Landlord improperly ended her tenancy.

Conclusion

The Tenant's application is dismissed, with leave to reapply for money owed or compensation for damage or loss under the Act, regulation, or tenancy agreement.

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: June 07, 2016

Residential Tenancy Branch