



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Village Green Apartments - Pacific Cove Properties  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, OLC, ERP, RP, PSF, LRE, AS, RR, SS, O

This hearing dealt with an application by the tenant for an order setting aside a 1 Month Notice to End Tenancy for Cause and almost every other remedy available to tenants under the legislation. Both parties appeared.

The landlord advised that the tenant had applied previously for an order setting aside the same notice to end tenancy and after a hearing on June 26, 2016, the landlord was granted an order of possession effective two days after service. The tenant confirmed that his previous application was in regard to the same notice to end tenancy. The file number of the related application is noted on the front page of this decision.

As there has already been a decision on the validity of the notice to end tenancy it is *res judicata* and I have no jurisdiction to hear this application or decide the same issue.

The balance of the relief claimed by the tenant is only relevant if the tenancy were to be continued. Accordingly, I dismissed those claims with leave to re-apply.

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: July 26, 2016

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Residential Tenancy Branch