



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, ERP, LAT, RP, RR

### Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order allowing the tenant to assign or sublet because the landlord's permission has been unreasonably withheld.
- b. An order to cancel the 10 day Notice to End Tenancy dated June 6, 2016.
- c. An order for emergency repairs for health or safety reasons
- d. An order authorizing the tenant to change the locks to the rental unit
- e. An order for repairs
- f. An order to reduce rent for repairs, services or facilities agreed upon but not provided.

A hearing was conducted by conference call in the presence of a representative of the tenant and in the absence of the respondents. There was a technical problem with the telephone conference call and the representative of the tenant had problems phoning in. However, after a delay the representative of the Tenant was able to connect and I proceeded with the hearing. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

The representative of the Tenant testified that the tenant served the landlord with a copy of the Application for Dispute Resolution. However, he was not present at the hearing and failed to provide an affidavit of service. She further testified that they moved out of the rental unit on June 22, 2016 and they now wished to make a monetary claim against the landlord. The Application for Dispute Resolution does not identify that the Tenant is seeking a monetary order.

The Tenant was not able to prove service on the landlord. Further, the tenant has vacated the rental unit and the claims in the Application for Dispute Resolution are no longer relevant. As a result I dismissed the Tenant's application without leave to re-apply.

The representative of the tenant testified they wish to seek compensation against the landlord. The tenant retains the right to file a new Application for Dispute Resolution seeking a monetary order.

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 14, 2016

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Residential Tenancy Branch