



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, RR

Introduction and Preliminary Matter

This hearing convened as a result of the Tenant's Application for Dispute Resolution wherein the Tenant requested an Order canceling a 1 Month Notice to End Tenancy for Cause as well as an Order that the Landlord make repairs to the rental unit.

Only the Tenant appeared at the hearing. She was provided the opportunity to present her evidence orally and in written and documentary form, and to make submissions to me.

The Tenant testified that she had "someone" serve the Landlord, J.T., at his place of business. She could not recall when this occurred or the name of the person who served J.T. The Tenant was advised this was insufficient to prove that the Landlords were served in accordance with the *Residential Tenancy Act*.

In any case, the Tenant also confirmed that she vacated the rental unit on July 30, 2016 such that the relief she sought in her application filed on July 28, 2016 was no longer required. Accordingly, I dismiss her claims.

The Tenant also stated that although she has vacated the rental unit, the Landlords have refused or neglected to return her security and pet damage deposit. She also claimed they cashed her August 2016 cheque even though she had moved out. The Tenant was informed in the hearing that should she seek monetary compensation from the Landlords she must make an application claiming such relief.

The Tenant was also cautioned to consider the service provisions in section 89 and 90 of the *Residential Tenancy Act*, should she wish to proceed with another application.

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: September 15, 2016

Residential Tenancy Branch