



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT CNL

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, dated February 9, 2017 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order allowing more time to make an application for dispute resolution; and
- an order cancelling a notice to end tenancy for landlord's use of property.

The Tenant attended the hearing on her own behalf. The Landlord attended the hearing on his own behalf and was assisted by S.S., who assisted with translation when necessary. Both parties in attendance provided a solemn affirmation.

The Tenant testified she served the Landlord with the Application package, in person, on February 17, 2017. The Landlord acknowledged receipt soon after that date. In accordance with section 71 of the *Act*, I find the Landlord was sufficiently served with the Application package.

The Landlord testified he served the Tenant with documentary evidence by registered mail on May 30, 2017. Although the Landlord stated that he was relying upon a registered mail receipt, a copy was not submitted with his documentary evidence. The Tenant denied receipt. In any event, I note it was not necessary to consider documentary evidence submitted by either party in coming to the Decision.

No further issues were raised about service of the Application package. The parties were provided with the opportunity to present their evidence orally and in written and documentary form, and make submissions. 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

During the hearing, the Tenant testified she vacated the rental unit on January 1, 2017, after she was served with a 2 Month Notice to End Tenancy for Landlord's Use of Property, dated October 9, 2016. Accordingly, I find the tenancy ended when the Tenant vacated the rental unit. As a result, it is not necessary for me to consider the Tenant's Application further. The Tenant's Application is dismissed.

NOTE: During the hearing, the Tenant advised that she had intended to apply for additional compensation arising from the end of the tenancy. However, the Application did not disclose a monetary claim, indicate the amount sought, or provide particulars of the claim. I also note the Tenant did not submit any documentary evidence in support. As a result, the Tenant's stated claim for monetary relief was not considered further. The Tenant remains at liberty to apply for relief to which she may be entitled, in accordance with the *Act*.

Conclusion

The Tenant's Application is dismissed.

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 19, 2017

Residential Tenancy Branch