



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, OLC, O

The tenant applies for a monetary award for damages resulting from an alleged wrongful termination of her tenancy.

During the tenant's testimony it became apparent she was struggling to compose herself and her evidence. She reported that she was operating under an unspecified mental disability for which she was seeing a psychiatrist. She reported that she had consulted with an advocate who was not able to attend to assist her today.

It is apparent that the tenant is not presently in a position to effectively present her case. Adjourning the matter to a date in the future would not guarantee the attendance of the tenant's advocate.

In the circumstances, I dismiss the tenant's claim with leave to re-apply. I suggest she consult with her advocate and the Residential Tenancy Branch in order to secure a hearing date for any re-application, that conforms with her advocate's availability.

It was confirmed at hearing that the tenant may serve any application or material on the landlords by service on the landlord Mr. I.A. alone.

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 28, 2017

Residential Tenancy Branch