



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OLC; PSF; MNDC; RP; FF

Introduction

This is the Tenant's Application for Dispute Resolution made March 14, 2018, and amended March 21, 2018, seeking an Order that the Landlords comply with the Act, regulation or tenancy agreement; compensation under the Act, regulation or tenancy agreement; Orders that the Landlords provide services or facilities required by law, and make repairs to the rental unit; and to recover the cost of the filing fee from the Landlords.

Both of the parties attended the Hearing which took place by teleconference. The parties gave affirmed testimony. The hearing process was explained and the parties were given an opportunity to ask questions about the process.

The Landlord's agent DT acknowledged receipt of the Tenant's amended Application and the Notice of Hearing documents. The parties also acknowledged receipt of each other's documentary evidence.

The parties indicated a desire to end this tenancy, which began on February 1, 2018. The Tenant stated that "new events" had occurred since she made her Application and that she "left on March 28, 2018, and have not been back since". DT stated that the Tenant left on March 31, 2018; however the parties agreed that:

1. The tenancy agreement is a one year lease, ending on January 31, 2019.
2. Rent is \$1,420.00 a month, due in advance on the last day of each month.
3. The Tenant paid a \$700.00 security deposit.
4. Rent does not include utilities. The Tenant is responsible for 20% of the monthly utilities.

The parties come to an agreement that the tenancy will end on April 8, 2018, at 1:00 p.m. The parties were advised, and understood, that the Landlords would be provided with an Order of Possession for that date and time.

The tenancy is ending and therefore the Tenant's application for repair order(s), an order that the Landlords comply with the Act, and an Order that the Landlords provide services or facilities to the Tenant are moot and are dismissed.

The parties attempted to come to an agreement with respect to the Tenant's monetary claim, and were provided with an opportunity, in private, to consider their respective positions; however, they were unable to reach a consensus within the time allotted for the Hearing.

The Tenant's application for monetary compensation is dismissed **with leave to reapply**.

I made no finding with respect to rent that may be owed to the Landlord.

I dismiss the Tenant's application to recover the cost of the filing fee from the Landlord. The parties came to a mutual agreement with respect to the end of the tenancy and the remainder of the Tenant's application was either dismissed outright, or dismissed with leave to reapply.

Conclusion

The Tenant's application for compensation for damage or loss under the Act, regulation or tenancy agreement is **dismissed with leave to reapply**. The remainder of the Tenant's application is **dismissed without leave to reapply**.

Based on the parties' agreement to end the tenancy, the Landlords are hereby provided with an Order of Possession **effective 1:00 p.m., April 8, 2018**. This Order may be enforced in the Supreme Court of British Columbia.

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: April 09, 2018

Residential Tenancy Branch