



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, OLC, RP, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67;
- an order requiring the landlord to comply with the *Act*, *Regulation* or tenancy agreement pursuant to section 62;
- an order to the landlord to make repairs to the rental unit pursuant to section 32; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

The tenant and the landlord's agent (the "landlord") attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The landlord confirmed she was an agent of the landlord's company named in this application, and had authority to speak on its behalf.

At the outset of the hearing, each party confirmed that they had received the other party's evidence. I find that both parties were duly served with these documents in accordance with sections 88 and 89 of the *Act*.

Preliminary Issue – Amendment of Tenant's Application

During the hearing the tenant testified that she had increased her monetary application from \$1,216.93 to \$4,831.00. Pursuant to Rule 4.1 of the Residential Tenancy Branch Rules of Procedure, an applicant may amend a claim by completing an Amendment to an Application for Dispute Resolution Form ("amendment form") and filing the completed amendment form with supporting evidence to the Residential Tenancy Branch. During the hearing, I advised the tenant that in the absence of a completed

amendment form, I deny her request to amend her application to increase her monetary claim to \$4,831.00. I explained to the tenant that I was prepared to hear her original monetary claim of \$1,216.93. The tenant advised that she wished to withdraw her entire claim. The landlord consented to the withdrawal. As the claim has been withdrawn, no further action is required and the file is closed accordingly.

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 20, 2018

Residential Tenancy Branch