



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      ERP, MNRT, RP

### Introduction

This hearing dealt with an Application for Dispute Resolution (“application”) by the tenant seeking remedy under the *Residential Tenancy Act* (“Act”) for emergency repairs for health or safety reasons, for regular repairs to the unit, site or property, and for a monetary claim of \$780.21 for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement.

The tenant, landlord KB (“landlord”) and a support person for the landlords (“support person”) attended the teleconference hearing. The parties were affirmed. At the start of the hearing, the tenant affirmed that they had mostly vacated the rental unit and were returning only to pick up some personal belongings. The landlord continued to interrupt the tenant and the arbitrator during the hearing and was eventually cautioned for his behaviour. The tenant stated that she had already completed the emergency repairs before starting to vacate the rental unit.

### Preliminary and Procedural Matters

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure (“Rules”) authorizes me to dismiss unrelated disputes contained in a single application. In this circumstance the tenant indicated several matters of dispute on the application, the most urgent of which is the application for emergency repairs for health or safety reasons. I find that not all the claims on the application are sufficiently related to be determined during this proceeding. I will, therefore, only consider the tenant’s request for emergency repairs for health or safety reasons at this proceeding. The tenant’s monetary claim is dismissed, **with leave to re-apply.**

The tenant confirmed their email address at the outset of the hearing. The landlord stated that they did not have email and would prefer the decision to be sent by regular mail. The parties confirmed their understanding that the decision would be emailed to the tenant and that the decision would be sent by regular mail to the landlords.

### Analysis

Based on the documentary evidence and the oral testimony provided during the hearing, and on the balance of probabilities, I find the following.

The tenant was granted an expedited hearing based on her request for emergency repairs for health or safety reasons. The tenant testified that she completed those repairs prior to the hearing and that she is in the process of vacating the rental unit as of the date of the hearing, October 2, 2018.

### Conclusion

Based on the tenant's testimony, I find the tenant's application is now moot as the tenant testified that she has already completed the emergency repairs and is in the process of vacating the rental unit. Therefore, the tenant's application is dismissed without leave to reapply.

As mentioned above, the tenant's monetary claim is dismissed with leave to reapply.

The tenant's claim for regular repairs to the unit, site or property is dismissed without leave to reapply as the tenant is in the process of vacating the rental unit according to the tenant.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: October 2, 2018