



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HARRON INVESTMENTS INC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a Four Month Notice to End Tenancy for Demolition, Renovation, or Conversion to Another Use, (the “Notice”) for a monetary order and to recover the filing fee.

Both parties appeared.

Preliminary and procedural matters

At the outset of the hearing the landlords indicated that they would like to cancel the Notice. Since this was the tenant’s application to have the Notice cancelled, I find it appropriate to cancel the Notice, I find the Notice issued on September 17, 2018, is cancelled, and has no force or effect.

In this case, the tenant amended their application to include a monetary order in the amount of \$16,500.00 for loss of quiet enjoyment for 3.5 months. The tenant did not provide a detail calculation and stated that they only claimed this amount because the Residential Tenancy Branch (the “RTB”) told them too.

I do not accept the RTB staff told the tenant to claim this amount. That is not the role of the RTB staff. Further, as the tenant was unable to justify the amount claim, I find it appropriate to dismiss the tenant’s claim for a monetary order without leave to reapply.

Since the tenant’s application in part was settled and the balance was dismissed, I decline to award the tenant the cost of the filing fee.

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: November 06, 2018

Residential Tenancy Branch