



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, OLC

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on October 10, 2018, wherein she sought an Order that the Landlord comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, and the tenancy agreement as well as an Order that the Landlord make emergency repairs to the rental unit.

The hearing was conducted by teleconference at 11:00 a.m. on November 20, 2018.

Both parties called into the hearing and were provided the opportunity to present their evidence orally and in written and documentary form and to make submissions to me.

Preliminary Matters – Naming of the Parties

The Tenant confirmed that she used a different name when entering into the residential tenancy agreement as at that time she was married.

The Landlord also noted that his name was incorrectly spelled on the Tenant's Application for Dispute Resolution as it was recorded as a combination of his name and that of his wife's, who was also the other property owner.

Pursuant to section 64(3)(c) of the *Residential Tenancy Act*, I amend the Tenant's Application to include her married name, as well as to correctly note the Landlords' names.

Conclusion

At the outset of the hearing the Tenant advised she had vacated the rental unit on October 31, 2018. As such the relief sought on her Application for Dispute Resolution were no longer applicable as the tenancy has ended. Accordingly, they are dismissed without leave to reapply.

The parties confirmed that they intended to pursue monetary claims against one another. To this end they were reminded that hearings before the Residential Tenancy Branch are governed by the *Residential Tenancy Branch Rules of Procedure* which can be found at:

<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/rop.pdf>

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 20, 2018

Residential Tenancy Branch