



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      AAT, MNDC, OPT

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, regulation or tenancy agreement pursuant to section 67;
- an order of possession of the rental unit pursuant to section 54;
- an order to allow access to or from the rental unit or site for the tenant or the tenant's guests pursuant to section 70.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed the tenant served the landlord via regular mail on February 13, 2019 which was later received by the landlord. Neither party submitted any documentary evidence. I accept the undisputed testimony of both parties and find that both parties have been sufficiently served as per section 90 of the Act.

Both parties clarified that this matter is currently before the Supreme Court of British Columbia as a result of an execution of a writ of possession on February 19, 2019. As such, I find that I have no jurisdiction in this matter. This application is dismissed for lack of jurisdiction.

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: March 18, 2019

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Residential Tenancy Branch