



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BOLLD REAL ESTATE MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ERP

Introduction

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

- an order requiring the landlord to complete emergency repairs to the rental unit, pursuant to section 33.

The landlord's agent ("landlord") and the tenant 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 that he was the property manager for the rental unit and that he had permission to speak on behalf of the landlord company named in this application. This hearing lasted approximately 9 minutes.

The landlord confirmed receipt of the tenant's application for dispute resolution hearing package and the tenant confirmed receipt of the landlord's evidence package. In accordance with sections 88, 89 and 90 of the *Act*, I find that the landlord was duly served with the tenant's application and the tenant was duly served with the landlord's evidence package.

The tenant said that she did not require any emergency repairs, as the toilet was fixed in her rental unit. She claimed that she was not pursuing this application. Accordingly, the tenant's application for emergency repairs is dismissed without leave to reapply.

The tenant said that she was pursuing a monetary application for having to find alternative accommodation because her toilet did not work. She stated that she submitted evidence regarding her monetary claim with this application. The landlord said that he did not

receive a monetary application from the tenant, nor did he receive a monetary order worksheet.

I notified the tenant that she did not file a monetary application, she did not amend her application to include a monetary claim, nor did she provide a monetary order worksheet. I informed her that the landlord did not have any notice of a monetary claim and did not have a chance to respond to any potential monetary claim. Therefore, I notified her that I could not deal with a monetary claim and she would have to file an application for a monetary claim and pay a new filing fee in order to pursue this claim.

Conclusion

The tenant's application is dismissed without leave to reapply.

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: April 05, 2019

Residential Tenancy Branch