



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for an order for the landlord to comply with the Act, regulations or tenancy agreement pursuant to section 62.

Both the tenants and the landlord attended the hearing. The landlord was represented by KF. Neither party had issue with service of documents.

Preliminary Issue

In evidence, the landlord provided copies of mutual agreements to end a tenancy signed by the landlord and each of the tenants.

The tenants testified they moved out of the rental unit on March 30th or April 1st 2019. Their application for dispute resolution was filed prior to signing the mutual agreements to end this tenancy.

Analysis

Section 62 of the Act determines the authority for the Director to resolve disputes.

1. The director has authority to determine
 - a. disputes in relation to which the director has accepted an application for dispute resolution, and
 - b. any matters related to that dispute that arise under this Act or a tenancy agreement.
2. The director may make any finding of fact or law that is necessary or incidental to making a decision or an order under this Act.

3. The director may make any order necessary to give effect to the rights, obligations and prohibitions under this Act, including an order that a landlord or tenant comply with this Act, the regulations or a tenancy agreement and an order that this Act applies.
4. The director may dismiss all or part of an application for dispute resolution if
 - a. there are no reasonable grounds for the application or part,
 - b. the application or part does not disclose a dispute that may be determined under this Part, or
 - c. the application or part is frivolous or an abuse of the dispute resolution process.

In a situation where a tenancy has ended, the Director has no authority to order that either party comply with the Act, regulations or tenancy agreement. I find that the application does not disclose a dispute that may be determined under this part and I dismiss the application without leave to reapply.

Conclusion

The tenants' application is dismissed.

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 11, 2019

Residential Tenancy Branch