



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, ERP, LAT, LRE, MNDCT, OLC, RR

Introduction

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

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated April 4, 2019 ("10 Day Notice"), pursuant to section 46;
- an order requiring the landlord to complete emergency repairs to the rental unit, pursuant to section 33;
- authorization to change the locks to the rental unit, pursuant to section 70;
- an order restricting the landlord's right to enter the rental unit, pursuant to section 70;
- a monetary order of \$5,300.00 for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("Regulation") or tenancy agreement, pursuant to section 67;
- an order requiring the landlord to comply with the *Act*, *Regulation* or tenancy agreement, pursuant to section 62; and
- an order to allow the tenant to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65;

Both parties attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. This hearing lasted approximately 19 minutes.

The tenant claimed that he had moved out of the rental unit in April 2019 and was not pursuing his application, except for the monetary claim for \$5,300.00. Accordingly, I notified the tenant that his entire application was dismissed without leave to reapply, except for the monetary claim for \$5,300.00.

The tenant asked to withdraw his monetary application for \$5,300.00 and reapply at a later date when he had time to obtain more evidence, since he was homeless and unable to obtain proper evidence for this hearing. The landlord consented to the withdrawal. Accordingly, the tenant's application for a monetary claim of \$5,300.00 is withdrawn with leave to reapply, by consent of both parties.

Conclusion

The tenant's application for a monetary order of \$5,300.00 is withdrawn with leave to reapply.

The remainder of 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: May 16, 2019

Residential Tenancy Branch