



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. A participatory hearing was held, via teleconference, on July 16, 2019. The Tenants applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- An order that the Landlord comply with the *Act*, regulations, and/or a tenancy agreement.

The Landlord and the Tenants both attended the hearing. All parties provided testimony and were provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me. The Landlord confirmed receipt of the Tenants' application and evidence. The Landlord did not submit any evidence.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence submitted in accordance with the rules of procedure, and evidence that is relevant to the issues and findings in this matter are described in this Decision.

The Tenants stated that they moved out of the rental unit at the end of May 2019. As discussed during the hearing, since the tenancy is now over, the ground the Tenants selected on their application is now moot. The Tenants were under the impression that they were able to use the ground they selected to apply for monetary compensation. However, if the Tenants are looking for compensation, due to mould issues, this needs to be clearly identified and applied for. In other words, the Tenants need to specifically apply for monetary compensation if this is what they are seeking. The Tenants' application for an order for the Landlord to comply with the Act is dismissed without

leave to reapply. The Tenants are at liberty to re-apply for monetary compensation now that the tenancy is over.

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: July 16, 2019

Residential Tenancy Branch