



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPT, FFT

### Introduction and Conclusion

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on August 23, 2019, in which the Tenant sought an Order of Possession of the rental unit and recovery of the filing fee.

The hearing of the Tenants Application was scheduled for 9:30 a.m. at September 23, 2019. Only the Tenant called into the hearing. She claimed that she was unable to personally serve the owner of the rental unit, however she did personally serve the owner's girlfriend, Z.B., whom she named as a Landlord on her Application.

At the outset of the hearing the Tenant stated that the rental unit had been demolished such that she no longer sought an Order of Possession.

Although the Tenant filed a Monetary Orders Worksheet in which she detailed her request for compensation in the amount of \$35,000.00, she did not amend her claim to include a claim for monetary compensation as required by *Rule 4* of the *Residential Tenancy Branch Rules of Procedure*. The Tenant confirmed that it was her intention to apply for the return of her personal possessions and monetary compensation from the Landlord.

*Rule 2.2* provides that a claim is limited to what is stated on the Application. As the Tenant's Application was for an Order of Possession and this relief was no longer required, her claim is dismissed.

The Tenant is at liberty to apply for return of her personal possession pursuant to section 65(1) of the *Residential Tenancy Act*, as well as monetary compensation

pursuant to section 67. The Tenant is reminded of the strict time limit imposed by section 60 of the *Act*.

The Tenant is cautioned to ensure she properly names the Landlord as the person or company identified on her tenancy agreement.

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: September 23, 2019

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Residential Tenancy Branch