



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PARHOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes LRE, OLC, PSF, RR, FF

Introduction

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

- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order to allow the tenant(s) to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65;
- an order to the landlord to provide services or facilities required by law pursuant to section 65;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70;
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

The tenant attended the hearing via conference call and provided testimony. The landlord did not attend or submit any documentary evidence. The tenant stated that the landlord was served with the notice of hearing package and the submitted documentary evidence via Canada Post Registered Mail on August 12, 2019. The tenant provided a proof of service document (an online search) dated August 12, 2019 that shows that the package was attempted served, but returned to the sender as "unclaimed". On this basis, I find that the landlord was deemed properly served as per section 90 of the Act.

The tenant stated that he has since vacated the rental unit and no longer resides at the premises. As such, the tenant's requests are dismissed as all filed claims are relevant to an ongoing tenancy.

The tenant also stated that an amendment was filed through the Service BC Office on September 18, 2019 in which the tenant seeks a monetary claim of \$1,800.00 and the loss of stolen items equal to a value of \$3,840.33. An extensive search of the 16 page bulk evidence submission on September 18, 2019 from the Chilliwack Service BC Office disclosed no amendment to an application for dispute being filed. A review of the Residential Tenancy Branch File also discloses no evidence of an amendment filed or any notations of a change in the application for dispute despite the tenant's adamant claim that an amendment was filed. The tenant stated that a copy of the amendment application was not returned to him, but was served to the landlord via Canada Post Registered Mail. No evidence of the service was provided in the tenant's evidence submission and no subsequent packages were submitted. The tenant was advised to contact the Service BC, Chilliwack office to investigate what happened to his amendment. No further action is required at this time due to no evidence available to proceed on an amendment to an application by the tenant.

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: October 03, 2019

Residential Tenancy Branch