



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FFT LAT LRE OLC

Introduction

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

- authorization to recover his filing fee for this application from the tenant pursuant to section 72;
- authorization to change the locks to the rental unit pursuant to section 70
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70; and
- an order for the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62.

Both parties attended the hearing and had full opportunity to provide affirmed testimony, present evidence, cross examine the other party, and make submissions. The landlord acknowledged receipt of the tenant's Notice of Hearing and Application for Dispute Resolution. Neither party raised issues of service. I find the parties were served in accordance with the *Act*.

Preliminary Matter: Tenant Vacated the Property

The tenant testified that she has vacated the rental unit prior to the hearing. The relief sought by the tenancy related only to an ongoing tenancy and I find that these claims are moot now that the tenancy has ended. Further, I find that the tenant did not file an application for monetary compensation pursuant to sections 28, 67 or any other sections of the *Act*. Section 62(4)(b) of the *Act* states that I may dismiss all or part of an application for dispute resolution which does not disclose a dispute that may be

determined under the *Act*. I exercise my authority under section 62(4)(b) of the *Act* to dismiss this application for dispute resolution.

However, to be clear, I find that the tenant did not file an application for monetary compensation pursuant to sections 28, 67 or any other sections of the *Act*, and as such I have not herein adjudicated a claim herein for monetary compensation in this matter.

Accordingly, the tenant is granted leave to re-apply for monetary compensation pursuant to the *Act*.

Conclusion

I dismiss the tenant's application in its entirety.

This decision does not an adjudication of any claim by the tenant for monetary compensation relating to this tenancy. The tenant is granted leave to re-apply for monetary compensation pursuant to the *Act*.

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 28, 2019

Residential Tenancy Branch