



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT, FF

Introduction

On December 2, 2019, the Tenant applied for an expedited dispute resolution hearing under the *Residential Tenancy Act* (“the Act”) seeking an order of possession for the rental unit, and to recover the cost of the filing fee. The Director of the Residential Tenancy Branch has established the expedited hearing process in circumstances that include when a Tenant has been denied access to their rental unit.

The matter was scheduled for a teleconference hearing. The Tenant attended the hearing; however, the Landlord did not. The Tenant testified that on December 4, 2019 she served the Notice of Dispute Resolution Proceeding to the Landlord using registered mail. She testified that the registered mail was sent to the Landlord's address.

The Tenant was provided with an opportunity to ask questions about the hearing process. She was provided with the opportunity to present affirmed oral testimony and to make submissions during the hearing.

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

Preliminary and Procedural Matters

At the start of the hearing, the Tenant clarified that she is not looking for an order of possession for the rental unit. She testified that on November 30, 2019 she moved out of the rental unit, and the Landlord changed the locks the following day.

The Tenant testified that she was able to remove her possessions on December 8, 2019.

The Tenant inquired about making a claim for compensation against her co-tenant or the Landlord.

Analysis

The Tenant was granted an expedited dispute resolution hearing to consider the request for an order of possession of the rental unit. Since the Tenant does not wish to proceed with her request for an order of possession, the Tenant's application is dismissed.

The Tenant was informed that there is no jurisdiction under the Act to hear a claim against her co-Tenant. If the Tenant wants to pursue a claim for compensation against her Landlord, the Tenant will need to reapply for dispute resolution.

Conclusion

The Tenant withdrew her request for an order of possession for the rental unit. The Tenant's application is dismissed in its entirety.

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: December 27, 2019

Residential Tenancy Branch