



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MNDCT, OLC, RR

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 10 Day Notice to End the Tenancy for Unpaid Rent, to be allowed to reduce rent for repairs, and to have the landlord complied with the Act.

The tenant has further filed multiple amendments to their application, the most recent filed on December 24, 2019.

Both parties appeared.

### Procedural issue

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure authorizes me to dismiss unrelated disputes contained in a single application. In these circumstances the tenant indicated several matters of dispute on the Application for Dispute Resolution, the most urgent of which is the application to set aside the Notice to End Tenancy. I find that not all the claims on this Application for Dispute Resolution are sufficiently related to be determined during these proceedings.

Further, I find the multiple amendments the tenant has filed does not comply with section 59 of the Act, as the full particulars of their claim are to be filed in their application. The tenant could have made these claims in their original application. I find it would be unfair and prejudicial to the landlord to consider these amendments at today's hearing.

I will, therefore, only consider the tenant's request to set aside the Notice to End Tenancy. The balance of the tenant's application is dismissed, with leave to reapply.

### Preliminary issues

At the outset the parties agreed that the tenant has vacated the rental unit by of an order of possession, which was enforced in Supreme Court. Therefore, I find it not necessary to consider the tenant's application to cancel the notice to end tenancy as the tenancy has legally ended.

### Conclusion

The tenant's application to cancel the notice to end tenancy is dismissed.

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: January 09, 2020

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Residential Tenancy Branch