



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **ERP, FFT**

### Introduction

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

- An order for emergency repairs pursuant to section 62; and
- Authorization to recover the filing fees from the landlord pursuant to section 72.

The landlord did not attend the hearing. The tenant attended the hearing and advised me that he had moved out of the rental unit on December 28, 2019 in accordance with a Notice to End Tenancy served upon him by the landlord.

### Preliminary Issue

Section 62(4) of the Act states:

The director may dismiss all or part of an application for dispute resolution if

- a) there are no reasonable grounds for the application or part,
- b) the application or part does not disclose a dispute that may be determined under this Part, or
- c) the application or part is frivolous or an abuse of the dispute resolution process.

I determined that the tenancy ended on December 28, 2019. As such, the tenant's application to have emergency repairs done to his former rental unit is not a dispute that may be determined under Part 5 of the Act. The tenant's application is dismissed.

As the tenant's application was not successful, the tenant is not entitled to recovery of the \$100.00 filing fee for the cost of this application.

Conclusion

The application is dismissed without leave to reapply.

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: March 17, 2020

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Residential Tenancy Branch