



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

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

## **DECISION**

Dispute Codes      OLC

### 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.

At the outset, the tenant clarified his application for dispute. The tenant provided written details which stated that the landlord is conducting a substantial renovation of the building that is severely impacting the tenant's right to freedom from unreasonable disturbance. The tenant stated the landlord erected scaffolding around the building on October 23, 2019. The tenant also stated that he is staying at home during the state of emergency which is exacerbating the situation. During the hearing the tenant clarified that he is in fact seeking monetary compensation for loss of quiet enjoyment. A general review of the tenant's application show that no details of any type of monetary compensation request are mentioned. The landlord responded that he needs to seek direction from the landlord for any type of compensation request as no prior notice was given.

I find in the circumstances that as the tenant's application details do not meet with his actual clarified request and that the landlord was not given any details in advance of the hearing that the tenant's application is dismissed with leave to reapply.

As stated during the hearing, both parties were encouraged to start some sort of communication on the tenant's issues.

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: May 26, 2020

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Residential Tenancy Branch