



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, DRI, RP, LRE, LAT, RR, OLC

Introduction

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

- cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 47;
- an Order that the landlord's right to enter be suspended or restricted, pursuant to section 70;
- authorization to change the locks, pursuant to section 31;
- an Order directing the landlord to comply with the *Act*, regulation or tenancy agreement, pursuant to section 62;
- an Order for regular repairs, pursuant to section 32; and
- an Order to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65.

The landlords did not attend this hearing, although I left the teleconference hearing connection open until 9:46 a.m. in order to enable the tenants to call into this teleconference hearing scheduled for 9:30 a.m. Tenant M.V. (the "tenant") attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The tenant's agents, agent J.E. and B.T. attended the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the tenant and her agents and I were the only ones who had called into this teleconference.

Preliminary Issue- Amendment

The tenant testified that the tenancy has ended because the landlord locked her out, contrary to a recent Residential Tenancy Branch Decision. The file number for that

decision is located on the cover page of this decision. The tenant requested that her application for dispute resolution be amended to seek monetary damages for being illegally locked out.

Rule 4.2 of the Residential Tenancy Branch Rules of Procedure states that in circumstances that can reasonably be anticipated, such as when the amount of rent owing has increased since the time the Application for Dispute Resolution was made, the application may be amended at the hearing. If an amendment to an application is sought at a hearing, an Amendment to an Application for Dispute Resolution need not be submitted or served.

I find that the tenant's monetary claim could not reasonably have been anticipated in today's hearing by the landlords as the tenant's original application was not monetary in nature. I therefore decline to amend the tenant's application.

Conclusion

Since this tenancy has already ended, the issues raised in the tenants' application for dispute resolution are no longer applicable. I therefore dismiss the tenant's application for dispute resolution.

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 04, 2020

Residential Tenancy Branch