



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNRL

Introduction

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

- a monetary order for unpaid rent pursuant to section 67.

Both parties attended the hearing. At the outset of the hearing the parties advised that the issue of the rent and the tenancy were resolved in a separate hearing on August 10, 2020. PD advised that there is extensive damage to the unit in excess of \$100,000.00. It was explained to the landlords that any monetary claim above \$35000.00 must be addressed in the Supreme Court of British Columbia. In any event, it was explained to the landlords that as the tenancy has not ended, and that they have not undertaken any of their repairs or provided the tenant with an opportunity to rectify any of the deficiencies, their application is premature; this was explained in great detail to all parties and they indicated that they understood. PD advised that they will be seeking a monetary award in the Supreme Court. As this application is premature, I hereby dismiss this application with leave to reapply.

Conclusion

The landlord's application is dismissed with 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: August 13, 2020

Residential Tenancy Branch