



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, CNC, RP, OLC

Introduction

This hearing dealt with an Application for Dispute Resolution by the Occupant to cancel a One Month Notice to End Tenancy for Cause, to have the landlord make repairs to the premise, to have the landlord comply with the Act and for monetary compensation.

Both parties appeared.

The issue of the applicant's tenancy status has been heard and a decision made. The decision found that YC is an occupant and has no legal rights or obligation under the Act, and it further ordered that the tenant and all occupants must vacate the premise on two days notice. I have noted the file numbers on the covering page of this decision.

Based on the legal principal of Res judicata, I decline to hear this matter as a final decision has already been made.

I find it appropriate in this matter to make the following order, which is related to access to the premise as the landlord requested a key to be provided. This was discussed during the hearing.

I authorize the landlord or the landlord's agent to attend the premise today, September 3, 2020, at 3:00 p.m. to pick up the key from the tenant or YC that gives access to the premise. The landlord will make a copy of that key for their own keeping and return the key back to the rental unit no later than 6:00 p.m., as the tenant and their occupants are entitled to access the unit until they willing vacate the premise in compliance with the order of possession or until the order of possession is enforced, which a date had already been prearranged with the bailiffs.

Should a key not be provided to the landlord by the tenant or YC, I authorize the landlord to change the locks and a copy of the new key is to be provided to the tenant. The landlords are to ensure that the tenant and the tenant's occupants have access to the unit, until the order of possession is enforced.

Conclusion

I decline to hear the applicant's application.

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: September 03, 2020

Residential Tenancy Branch