



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC FF

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing was held, via teleconference, on September 28, 2020. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- An order that the Landlord comply with the *Act*, regulations, and/or a tenancy agreement.

The Landlords and the Tenant both attended the hearing. All parties provided testimony and were provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me. The Landlord confirmed receipt of the Tenant's application and evidence. The Tenant confirmed receipt of the Landlords' evidence.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence submitted in accordance with the rules of procedure, and evidence that is relevant to the issues and findings in this matter are described in this Decision.

Preliminary Matters

At the outset of the hearing, the Tenant expressed that her intention with this application was to obtain monetary compensation. I explained to the Tenant that she did not file a claim for monetary compensation as part of this proceeding. The Tenant chose to withdraw this application and pursue her claim for monetary compensation at a future hearing, under a new application. The Landlord did not object to the Tenant withdrawing

this application. I allow the Tenant to withdraw her application, as she did not apply under the correct grounds for this hearing. The Tenant was not seeking any order for the Landlord to comply with the Act, rather she wanted compensation for the cost to replace her mattress. The Tenant is granted leave to apply for monetary compensation for this matter.

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 28, 2020

Residential Tenancy Branch