



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking an order that the landlord comply with the *Residential Tenancy Act*, regulations or the tenancy agreement; and to recover the filing fee from the landlord for the cost of the application.

Both tenants and the landlord attended the hearing, during which the tenants advised that they have vacated the rental unit, and seek monetary compensation from the landlord.

In order to seek monetary compensation, the tenants must put the landlord on notice that such an application is made, by making an application and serving the landlord. In this case, the tenants have not applied for monetary compensation and thereby have not put the landlord on notice that such an application is made. Therefore, I decline to hear and decide on that issue.

Since the tenants have vacated the rental unit, I dismiss the tenants' application for an order that the landlord comply with the *Act*, regulation or tenancy agreement, without leave to reapply.

Since the tenants have not been successful with the application, the tenants are not entitled to recovery of the filing fee.

Conclusion

For the reasons set out above, the tenants' application is hereby dismissed without 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: November 05, 2020

Residential Tenancy Branch