



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, RR, RPR, AAT, PSF, LAT, LRE, MNDCT

This hearing was convened in response to an application made October 11, 2020 and an application made November 12, 2020 by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 46;
2. An Order for a rent reduction - Section 65;
3. An Order for repairs - Section 32;
4. An Order allowing the Tenant and guests access to the unit - Section 70;
5. An Order for the provision of services and facilities - Section 65;
6. An Order allowing a lock change - Section 70;
7. An Order restricting the Landlord's entry - Section 70; and
8. A Monetary Order for compensation - Section 67.

The Parties were each given full opportunity to be heard, to present evidence and to make submissions. The Parties confirm that the tenancy has ended, and the Tenant has moved out of the unit. As claims 1 to 7 above are only relevant to an ongoing tenancy I dismiss these claims without leave to reapply.

The Tenant seeks an adjournment in relation to the compensation claim as it has not provided evidence in relation to that claim. The Tenant states that this claim is in relation to losses suffered throughout the entire tenancy and it is noted that the particulars of this claim set out that the claim is in relation to the loss of heat. The Landlord notes that this claim has already been dealt with in previous decisions.

Rule 2.3 of the Residential Tenancy Branch (the “RTB”) Rules of Procedure provides that claims made in an application must be related to each other. As the claim for compensation is not related to any of the other claims and in particular is not related to the primary matter of whether the tenancy was to end, I find that the Tenant could not have made this claim with its application and I dismiss this claim with leave to reapply. The request for an adjournment of the hearing on this claim is therefore denied. As this claim is dismissed with leave to reapply, I may not make any determination on the validity of this claim and the Landlord remains at liberty to make submissions that the matter has already been dealt with should the Tenant bring this claim forward in the future. Leave to reapply is subject to any applicable limitation periods.

This decision is made on authority delegated to me by the Director of the RTB under Section 9.1(1) of the Act.

Dated: January 04, 2021

Residential Tenancy Branch