



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Code: OLC

### Introduction

The tenant applied for an order against their landlord pursuant to section 62 of the *Residential Tenancy Act* ("Act").

A representative from the landlord (a provider of affordable housing solutions in the Capital Region) attended the teleconference hearing on March 5, 2021.

The tenant joined the hearing at 11:10 AM after experiencing some difficulty with the teleconference system. The hearing ended at approximately 11:17 AM.

### Preliminary Issue: Tenancy Has Ended

The landlord's representative noted that the tenancy ended on December 31, 2020, and the tenant confirmed this. Given that the tenancy that existed when this application was made is now ended, I am unable to make any orders against the landlord in respect of that tenancy. The issues, insofar as an order under section 62 of the Act would pertain, are now moot.

The tenant said that she would like a continuance of this application and to essentially amend the application to seek compensation against the landlord. I explained that this claim (that is, an order under section 62 of the Act) is limited to what is stated in the application (see *Rules of Procedure*, Rule 2.2).

Any amendment to an existing application must be made by the applicant by way of an Amendment to an Application for Dispute Resolution form (see *Rules of Procedure*, Rule. 4.1). I note that no such document had been completed and submitted. Further, there was no copy of any Monetary Order Worksheet, which is a required document in claims for compensation.

As I explained to the tenant, she remains at liberty to file an application for dispute resolution seeking compensation.

I make no findings of fact or law in respect of the merits of such a potential claim, however. Nor do I make any findings of fact or law in respect of the landlord's compliance with the Act, the regulations, or the tenancy agreement, in respect of a potential claim for compensation by the tenant.

### Conclusion

I hereby dismiss the tenant's application without leave to reapply.

This decision is made on authority delegated to me under section 9.1(1) of the Act.

Dated: March 5, 2021

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Residential Tenancy Branch