



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNETC, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed the tenant served the landlord with the notice of hearing package and the submitted documentary evidence via courier on December 11, 2020. Both parties also confirmed the landlord served the tenant with the submitted documentary evidence via email on February 5, 2021. Neither party raised any service issues. I accept the undisputed affirmed evidence of both parties and find that both parties have been properly served as per sections 88 and 89 of the Act.

Discussions at the start of the hearing revealed that the tenant is seeking compensation as a result of receiving a 4 month notice to end tenancy for renovation dated July 1, 2018 which requires the vacant possession of the rental unit. The tenant stated that she was told by a friend that the rental property was renovated and re-rented. The landlord provided testimony that the notice dated July 1, 2018 was voided by agreement by both parties. The landlord stated that notice was cancelled and the tenant was allowed to continue living at the rental unit for a lengthy period before the tenancy was mutually ended. The landlord stated that the rental property was renovated and subsequently sold in May 2019. The tenant stated that she was not aware of these details before filing the application for dispute. I find in the circumstances that the tenant has been pre-mature in her application for dispute. No details have been

provided where the landlord has not taken steps to accomplish the stated purpose of the notice which was to make renovations to the rental unit which required vacant possession. On this basis, the tenant's application is 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: March 25, 2021

Residential Tenancy Branch