



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OLC, LRE

Introduction

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

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70.

The tenant and her advocate attended the hearing via conference call and provided undisputed testimony. The tenant stated that the landlord was served with the notice of hearing package and the submitted documentary evidence via Canada Post Registered Mail on January 13, 2021 and on March 21, 2021. The tenant provided a copy of the Canada Post Registered Mail Receipt and Tracking label as confirmation of service on January 13, 2021. The landlord did not attend nor did he submit any documentary evidence.

I accept the undisputed evidence of the tenant and find that both parties have been sufficiently served as per sections 88 and 89 of the Act.

Preliminary Issue(s)

At the outset, the tenant's application was clarified. A cursory review of the tenant's application reveals the submission of 3 different Residential Tenancy Branch Decisions submitted by the tenant. In particular RTB Decision (noted on the cover of this decision) dated July 19, 2019 in which the Arbitrator refused jurisdiction based upon the tenant's

undisputed submissions; RTB Decision (noted on the cover of this decision) dated March 1, 2021 in which the Arbitrator refused jurisdiction based upon the submissions of both parties; RTB Decision (noted on the cover of this decision) dated March 2, 2021 in which the Arbitrator refused jurisdiction based upon the submissions of both parties. The tenant confirmed the results of each of these decisions and stated that no change in the status had occurred. On this basis, I find based upon the undisputed evidence of the tenant that I decline to hear this matter as I have no jurisdiction to consider this application.

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: April 13, 2021

Residential Tenancy Branch