



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

Introduction

This hearing was convened as a result of the Applicant's Application for Dispute Resolution, made on May 5, 2021 (the "Application"). The Applicant is seeking the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order for emergency repairs;

The Applicant and the Respondent attended the hearing at the appointed date and time. At the start of the hearing, the parties testified and agreed that the Applicant moved out of the rental property on May 5, 2021 after a Police incident took place. The Applicant stated she has removed all her belongings and is now homeless sleeping in her van, with no interest on returning to the rental property. The Applicant stated that the Police asked her not to return to the rental property or else she would be charged with trespassing. The Respondent confirmed that the Applicant is no longer permitted to return to the rental property.

There were some discussions with respect to if the *Act* applies to this living situation, however, regardless if the *Act* applies, I accept that the Applicant has vacated the rental property and is not wanting to return. As such, I find that her Application for emergency repairs is now moot, therefore, I dismiss this Application 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: June 14, 2021

Residential Tenancy Branch