



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes      OPE / FFT CNE OLC CNC

This hearing dealt with two applications pursuant to the *Residential Tenancy Act* (the “Act”):

- the landlord’s application for an order of possession pursuant to section 55; and
- the tenant’s application for:
  - the cancellation of the landlord’s One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to section 47;
  - an order requiring the landlord to comply with the Act, regulation or tenancy agreement, in particular compensation for expenses incurred in maintaining the residential property, pursuant to section 62; and
  - authorization to recover the filing fee for this application from the landlord pursuant to section 72.

The tenant attended the hearing. The landlord was represented at the hearing by an agent (“NJ”). Both were given a full opportunity to be heard, to present affirmed testimony, and to make submissions.

The parties advised me that the rental unit was sold on June 29, 2021, and that the tenant has vacated the rental unit. As such, the parties agreed that the portions of the application relating to ending the tenancy should be dismissed.

The tenant testified that, in the course of performing his duties as caretaker of the residential property he incurred significant expenses. This is not a claim which the Act grants me the authority to adjudicate as it does not relate to the tenancy itself. Instead, it relates to the employment agreement between the parties. There is nothing in the Act that allows me to resolve employment compensation disputes. The parties will need to resolve this in another forum. As such, I dismiss this portion of the tenant’s application.

As there are no issues that remain that I can adjudicate, I dismiss both parties’ applications, 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: July 30, 2021

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Residential Tenancy Branch