



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      RR

### Introduction

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

- an order allowing the tenant to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65.

The landlord and the tenant attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. This hearing lasted approximately 23 minutes from 11:00 to 11:23 a.m.

The landlord confirmed that she was a shareholder of the rental unit and that she had permission to represent the owner of the rental unit, at this hearing.

At the outset of this hearing, I informed both parties that Rule 6.11 of the Residential Tenancy Branch ("RTB") *Rules of Procedure* does not permit recording of this hearing by anyone. Both the landlord and tenant separately affirmed, under oath, that they would not record this hearing.

I explained the hearing process to both parties. Both parties had an opportunity to ask questions. I informed both parties that I could not provide legal advice to them. Neither party made any adjournment or accommodation requests. During this hearing, both parties discussed this application but were unable to reach a resolution.

The tenant stated that she was being harassed by the landlord. I informed the tenant that the RTB does not deal with criminal claims, such as harassment, so she could contact the police for same. The tenant confirmed her understanding of same.

During the hearing, the tenant asked to withdraw her application in order to increase her monetary claim and to seek legal advice from a lawyer. The landlord did not object to same. The tenant said that she did not amend her application prior to this hearing, in order to seek an increased amount. She stated that she was told by information officers at the RTB that they could not provide legal advice to her. She claimed that she only received the landlord's evidence three days prior to this hearing.

I informed the tenant that her application was dismissed with leave to reapply. I notified her that she could file a new application, pay a filing fee or apply for a waiver, and provide proof of her claim, if she wanted to pursue this matter in the future. I informed her that as the applicant, she had the burden of proof, to prove her claim. The tenant confirmed her understanding and agreement to same.

### Conclusion

The tenant's application is dismissed with 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: September 09, 2021

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Residential Tenancy Branch