



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNC, MNDCT, PSF, AAT, OLC, FFT**

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a One Month Notice to End Tenancy for Cause, issued on February 2, 2022, for monetary compensation that is related to the return of the security deposit, to have the landlord provide services or facilities required by the tenancy agreement or law, to be allowed access to the unit for me and/or my guests, to have the landlord comply with the Act, regulation and/or tenancy agreement and to recover the cost of the filing fee.

Both parties appeared.

At the outset of the hearing the parties agreed that the tenancy is over. Therefore, I find it not necessary to consider the tenant's application as they are related to the tenancy continuing. Further, I find the tenant's application premature for the return of their security deposit as they tenancy had not ended when they made their application for the return.

I have also amended the tenant's application as they have listed LA as a tenant. LA is not listed as a tenant on the tenancy agreement, and it would appear that LA is the child of the tenant and would only be an occupant with no legal rights or obligations under the Act. Therefore, I have removed LA from the style of cause.

I have also removed DB as the landlord and replaced it with the correct landlord named on the tenancy agreement and the notice to end tenancy. DB is only acting as the landlord's agent. Therefore, I have removed DB from the style of cause, and added the correct name of the landlord in its place.

Conclusion

The tenant's application is dismissed that are related to the tenancy continuing. The tenant's is granted leave to reapply for the return of the security deposit. The tenant is not entitled to recover the cost of the filing fee.

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: May 24, 2022

Residential Tenancy Branch