



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Menethil Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP, OLC, FFT

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order for repairs - Section 32;
2. An Order for the Landlord’s compliance - Section 62; and
3. An Order to recover the filing fee for this application - Section 72.

The Parties were each given full opportunity under oath to be heard, to present evidence and to make submissions. The Tenant states that they moved out of the unit on or about April 16, 2022. As the tenancy has ended and as the claims made in the application are only relevant to an ongoing tenancy, I dismiss these claims.

The Tenant uploaded as part of their evidence an application to amend their application for dispute resolution. The Tenant did not submit this application to the Residential Tenancy Branch (the “RTB”) as required under section 4.1 of the Rules of Procedure. The amendment is to add a claim for compensation.

Rule 2.3 of the RTB Rules of Procedure provides that claims made in an application must be related to each other and unrelated claims may be dismissed with or without leave to reapply. Even if the application to amend was correctly provided to the RTB to add the monetary claim, as the monetary claim is not related to the claims in the application, I dismiss this claim with leave to reapply. Leave to reapply is not an

extension of any limitation period. As none of the claims have been successful, I dismiss the claim for recovery of the filing fee.

This decision is made on authority delegated to me by the Director of the RTB under Section 9.1(1) of the Act.

Dated: August 15, 2022

Residential Tenancy Branch