



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

First application: CNC, AAT, PSF, LAT, OLC, FFT

Second application: CNR-MT, AAT, PSF, FFT

Introduction

This hearing dealt with the tenant's applications pursuant to the *Residential Tenancy Act* (the *Act*). This tenant's first application is for:

- cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 47;
- authorization to change the locks, pursuant to section 31;
- an Order directing the landlord to comply with the *Act*, regulation or tenancy agreement, pursuant to section 62;
- an Order to provide services or facilities required by the tenancy agreement or law, pursuant to section 65;
- Order to Allow Access for the Tenant or their guests, pursuant to sections 30 and 70; and
- authorization to recover the filing fee for this application from the landlord, pursuant to section 72.

The tenant's second application is for:

- cancellation of the 10 Day Notice to End Tenancy for Unpaid Rent, pursuant to section 47;
- more time to cancel the 10 Day Notice to End Tenancy for Unpaid Rent, pursuant to section 66;
- an Order to provide services or facilities required by the tenancy agreement or law, pursuant to section 65;
- Order to Allow Access for the Tenant or their guests, pursuant to sections 30 and 70; and
- authorization to recover the filing fee for this application from the landlord, pursuant to section 72.

Both parties attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Both parties were advised that Rule 6.11 of the Residential Tenancy Branch Rules of Procedure prohibits the recording of dispute resolution hearings. Both parties testified that they are not recording this dispute resolution hearing.

Per section 95(3) of the Act, the parties may be fined up to \$5,000.00 if they record this hearing: “A person who contravenes or fails to comply with a decision or an order made by the director commits an offence and is liable on conviction to a fine of not more than \$5 000.”

Both parties confirmed their email addresses for service of this Decision

Preliminary Issue – Vacant Rental Unit

At the outset of the hearing both parties agreed that the tenant vacated the rental unit. The tenant’s applications are moot since the tenancy has ended and the tenant left the rental unit.

Section 62(4)(b) of the Act states an application should be dismissed if the application or part of an application for dispute resolution does not disclose a dispute that may be determined under the Act. I exercise my authority under section 62(4)(b) of the Act to dismiss the tenant’s applications for dispute resolution.

Conclusion

The tenant’s applications for dispute resolution are dismissed 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: November 18, 2022

Residential Tenancy Branch