



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, RP, AAT, PSF, LRE, LAT, OLC

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act"). The Tenant applied for the following claims:

1. a Monetary Order of \$25,905.34 for damage or compensation under the Act;
2. an Order for repairs to the unit or property, having contacted the landlord in writing to make repairs, but they have not been completed;
3. an Order to allow access for the Tenant or their guests;
4. an Order to provide services or facilities required by the tenancy agreement or law;
5. to suspend or restrict the Landlords' right to enter;
6. for authorization for the Tenant to change the lock; and
7. an Order for the Landlord to Comply with the Act or tenancy agreement.

The Tenant, the Landlords, an agent for the Landlord, D.M. ("Agent"), and a witness for the Landlords, I.V., appeared at the teleconference hearing. At the onset of the hearing, the Tenant requested an adjournment, because her advocate was no longer available to present the Tenant's case for her. The Tenant said she was suffering from health issues that prevented her from representing herself adequately, and that she had not found a replacement advocate.

When asked for his perspective on the Tenant's request, the Agent said that the Tenant has made a large monetary claim against the Landlords, and that she has not provided any evidence to support this claim, such as receipts. The Agent said that adjourning the hearing for the inevitable four or five months it will take will prejudice the Landlords. He also said that the Landlords were not served with the bulk of the Tenant's submissions, and that they do not have a computer to be able to review any digital evidence the Tenant may have provided.

Based on the Tenant's inability to represent herself in this hearing, the Agent's opposition to an adjournment, and evidence that the Landlords were not properly served with all of the Tenant's evidentiary submissions, I dismiss this claim, with leave to

reapply; however, for everyone's benefit, I recommend the Tenant secure representation before she applies for any further matters or serves the other Party with any documents – digital or otherwise.

In light of the above, I dismiss the Tenant's Application 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: December 09, 2022

Residential Tenancy Branch