



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WINSON ESTATES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR MNDCT OLC RP RR

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, for a monetary claim of \$10,380 for compensation for monetary loss or other money owed, for a rent reduction, for regular repairs to the unit, site or property, and for an order directing the landlord to comply with the Act, regulation or tenancy agreement.

The tenant did not attend the hearing. Three agents for the landlord, RW, SS and SH (agents) attended the teleconference hearing. The agents were affirmed and testified that the tenant failed to serve the landlord with their application or any other documents related to this hearing, and that the landlord only became aware of the hearing through a courtesy copy of the application provided by the Residential Tenancy Branch (RTB). The agents were also permitted to ask questions.

Preliminary and Procedural Matters

The agents confirmed that the tenant has passed away since they filed their application. The agents provided a death certificate which indicates that the tenant passed away on August 30, 2022.

The agents also confirmed that they have not been made aware of an estate for the decedent. The agents confirmed that they have since obtained possession back of the rental unit approximately one month after the tenant passed away.

Due to a service issue, this application is **dismissed without leave to reapply**, as the tenant has since passed away and there is no estate known by the agents.

Conclusion

The tenant has passed away since filing their application and due to a service issue, this application is dismissed without leave to reapply as there is no estate known for the decedent.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to the parties at the email addresses provided in the application.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 8, 2022

Residential Tenancy Branch