



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **OPR-DR, MNR-DR, MNDL, CNC, DRI-ARI-C, AS, OLC, CNR, MNDCT**

Introduction

This hearing was convened by way of conference call in response to cross Applications for Dispute Resolution filed by the parties pursuant to the Residential Tenancy Act (the "Act") for Orders as follows:

The tenant applied as follows:

- For cancellation of the landlords' 10 Day Notice pursuant to section 46 of the Act
- For cancellation of the landlords' One Month Notice pursuant to section 47 of the Act
- Cancellation of a rent increase for capital expenditures pursuant to section 41 of the Act
- Allowing the tenant to assign or sublet the rental property pursuant to section 65 of the Act

The landlord applied as follows:

- For a monetary order for unpaid rent pursuant to section 67 of the Act
- For a monetary order for compensation for damage pursuant to section 67 of the Act
- For an order of possession pursuant to section 55 of the Act

The tenant TW appeared. The landlords did not appear. All parties were given a full opportunity to be heard, to present testimony, to make submissions, and to call witnesses.

The parties confirmed they were not recording the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

The tenant did not confirm receipt of the landlords' dispute notice and provided no proof of service of her dispute notices and materials on the landlords.

The tenant advised that the rental unit burned down, and she no longer occupies the rental unit. The tenant's applications for dispute resolution are therefore dismissed for lack of proof of service and because the tenancy has ended. The tenant has leave to reapply only with respect to her dispute of the additional rent increase. All other matters are dismissed without leave to reapply. The landlords' application for dispute resolution is dismissed without leave to reapply as the landlords did not appear and the tenancy has ended.

Conclusion

All applications are dismissed. The tenant has leave to reapply only on the issue of the rent increase. This decision does not extend any time limits set out in the Act.

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: January 23, 2023

Residential Tenancy Branch