



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

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

1. An Order cancelling a notice to end tenancy for cause - Section 47;
2. A Monetary Order for compensation - Section 67;
3. An Order restricting the Landlord’s entry - Section 70;
4. An Order for the Landlord’s compliance - Section 62; and
5. An Order to recover the filing fee for this application - Section 72.

The Parties were each given full opportunity to be heard, to present evidence and to make submissions. The Landlord confirms that Tenants GF and JC are tenants named under the tenancy agreement. The Parties confirm that the Tenants have moved out of the unit and the Landlord confirms possession of the unit.

Rule 2.3 of the Residential Tenancy Branch 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. As the compensation claim is not related to the matter of whether the notice to end tenancy is valid or not, I dismiss the claim with leave to reapply. Leave to reapply is not an extension of any limitation period.

Given the undisputed evidence that the Tenants have moved out of the unit and that the Landlord has possession of the unit I find that the dispute of the notice to end tenancy is no longer relevant and I dismiss this claim. I also dismiss the claims in relation to the Landlord’s entry and compliance as these claims are only relevant to an ongoing

tenancy. As these claims have been dismissed I find that the Tenants are not entitled to recovery of the filing fee and I dismiss this claim.

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

Dated: January 05, 2023

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Residential Tenancy Branch