



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDCT, RR, DRI-ARI-C, ERP, LRE, LAT, RPP, OLC, FFT
OPR, MNRL-S, FFL

Introduction

This hearing was scheduled to convene at 11:00 a.m. on February 17, 2023 concerning applications made by the tenant and by the landlord.

The tenant has applied for the following relief:

- an order cancelling a notice to end the tenancy for unpaid rent or utilities;
- a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement;
- an order reducing rent for repairs, services or facilities agreed upon but not provided;
- disputing an additional rent increase for Capital Expenditures;
- an order that the landlord make emergency repairs for health or safety reasons;
- an order limiting or setting conditions on the landlord's right to enter the rental unit;
- an order permitting the tenant to change the locks to the rental unit;
- an order that the landlord return the tenant's personal property;
- an order that the landlord comply with the *Act*, regulation or tenancy agreement; and
- to recover the filing fee from the landlord for the cost of the application.

The landlord has applied for:

- an Order of Possession for unpaid rent or utilities;
- a monetary order for unpaid rent or utilities;
- an order permitting the landlord to keep all or part of the security deposit or pet damage deposit; and

- to recover the filing fee from the tenant.

The landlord attended the hearing with a witness and a translator, prepared to respond to the tenant's application. However, the line remained open while the telephone system was monitored for in excess of 15 minutes and no one for the tenant joined the call. Therefore, I dismiss the tenant's application in its entirety without leave to reapply.

The landlord was not able to provide any information or documentation to satisfy me that the tenant was served with the landlord's dispute resolution documents. Therefore, I dismiss the landlord's application with leave to reapply.

I have made no findings of fact or law with respect to the merits of this matter.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety without leave to reapply.

The landlord's application is hereby dismissed 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: February 17, 2023

Residential Tenancy Branch