



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

Page: 1

DECISION

Dispute Codes OLC FFT

Introduction

The tenant seeks an order pursuant to section 62(3) of the *Residential Tenancy Act* (the “Act”). The tenant also seeks to recover the cost of the application filing fee.

Preliminary Issue: Relief Sought

The tenant applied for relief under section 62(3) of the Act which states that an arbitrator “may make [. . .] an order that a landlord or tenant comply with this Act, the regulations or a tenancy agreement and an order that this Act applies.”

However, the tenant testified under oath that what she seeks is \$800.00 from her landlord. This form of relief may only be granted by way of an application for dispute resolution for compensation made pursuant to section 67 of the Act. In other words, even if I were persuaded by the tenant’s evidence, I am unable to grant the relief sought in respect of this present application.

For this reason, the tenant’s application (as it pertains to compensation related to \$800.00), including the claim for the application filing fee, must be dismissed without leave to reapply.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: February 8, 2023

Residential Tenancy Branch