



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BAKERCREEK QUESNEL - VENTURE WEST PROJECT  
MGMT. and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes:** CNR, MNR, MNDC, OLC, PSF, RP, RR

### **Introduction**

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act*, to cancel a notice to end tenancy for non payment of rent and for an order seeking landlord's action to comply with the *Act*, provide services, carry out repairs and reduce rent. The tenant also applied for a monetary order for compensation and reimbursement of money that the tenant spent for emergency repairs.

The tenant stated that she served the landlord with the notice of hearing package by posting the package on the door of the manager's residence. The tenant filed a photograph of a male posting an envelope on a door. The tenant could not recall the date the landlord was served but stated that the manager is no longer employed by the landlord. The photograph is at a distance and the unit number is not visible. The tenant stated that the male in the photograph is a tenant in the building and is currently working as the landlord's agent. The landlord did not attend the hearing. The tenant attended the hearing and was given full opportunity to present evidence and make submissions.

Based on the testimony of the tenant, I am not satisfied that the landlord was properly served with the notice of hearing package.

At the start of the hearing the tenant informed me that she had moved out of the rental unit on February 28, 2023. Since the tenancy has ended, the tenant's application to cancel a notice to end tenancy, for an order seeking landlord's action to comply with the *Act*, provide services carry out repairs and reduce rent is moot and accordingly dismissed without leave to reapply.

However, I dismiss the tenant's application for a monetary order with leave to reapply.

**Conclusion**

The tenant's application for a monetary order is dismissed with leave to reapply. The remainder of the tenant's application is dismissed without 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: March 07, 2023

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Residential Tenancy Branch