



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ATIRA WOMEN'S RESOURCE SOCIETY  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      **OPT**

### **Introduction**

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on March 2, 2023 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order of possession for the Tenant.

The Tenant's Representative and the Landlord's Agents attended the hearing at the appointed date and time. At the start of the hearing, the Tenant's Representative confirmed that the Tenant has access to their rental unit, however, expressed frustration around having to wait for staff to allow the Tenant entry into the building. The Landlord's Agents stated that there are two staff members on 24 hours per day who open the door of occupants who attend the building.

There was some discussion around jurisdiction, however, I make no finding on the matter. I find that the Tenant submitted an emergency Application for an order of possession to their rental unit. I am satisfied that the Tenant has access to their unit, therefore, an order of possession is not necessary and the Tenant's Application is moot. I therefore dismiss the Tenant's Application without leave to reapply.

Should the Tenant feel as though the Landlord is breaching any particular section of the *Act* with respect to allowing entry into the building, they are at liberty to reapply for an order that the Landlord comply with 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: March 13, 2023

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Residential Tenancy Branch