



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes DRI-ARI-C MNDCT LRE FFT

Introduction

This dispute deals with the tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act) for the following:

1. Dispute an additional rent increase for capital expenditure,
2. Monetary claim of \$12,100 for money owed or compensation,
3. Suspend or set limits on the landlord's right to enter the rental unit,
4. Filing fee.

An advocate and the landlord attended the teleconference hearing. The advocate was asked if the tenant was with them and they replied that the tenant was not but could be called into the hearing, which was requested. The advocate brought tenant SR into the hearing. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Preliminary and Procedural Matters

The advocate was asked why the advocate was named as both tenant and advocate on the application. The advocate stated that they were advised to fill out the application that way, which I find is non-sensical.

The landlord stated that the tenancy has already ended by way of a previous dispute, the file number of which has been included on the cover page of this decision for ease of reference (Previous Decision). The Previous Decision resulted in the landlord being granted an order of possession.

Analysis

Both parties have the right to a fair hearing. I find the landlord would not have been aware tenant in this matter without having the name of the tenant on the application. Given the above, **I dismiss this application, with leave to reapply**, due to a service issue.

I do not grant the filing fee due to the service issue.

Conclusion

The application is dismissed with leave to reapply due to a service issue.

This decision does not extend any applicable time limits under the Act.

This decision will be emailed to both parties at the email addresses confirmed during the hearing.

I do not grant the filing fee due to the service issue.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 30, 2023

Residential Tenancy Branch