



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, MNDCT, PSF, LRE

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding a tenancy.

The tenant applied on October 19, 2022 for:

- dispute of a Two Month Notice to End Tenancy for Landlord's Use of Property (the Two Month Notice);
- compensation for monetary loss or other money owed, in the amount of \$1,650.00;
- an order for the landlord to provide services or facilities required by the tenancy agreement or law; and
- an order to suspend or set conditions on the landlord's right to enter the rental unit.

The hearing was attended by the tenant and the landlord, who were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses; they were made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

Neither party raised an issue regarding service of the hearing materials.

Preliminary Matters

The parties agreed the tenant vacated the rental unit on December 11, 2022, and the landlord testified he is not seeking an order of possession. Therefore, I dismiss the tenant's claim to dispute the Two Month Notice, as it is moot.

I dismiss the tenant's following claims, without leave to reapply, as they are related to a current tenancy: an order for the landlord to provide services or facilities required by the tenancy agreement or law, and an order to suspend or set conditions on the landlord's right to enter the rental unit.

The tenant applied for compensation in the amount of \$1,650.00, but was unable to explain how she came to that amount. Considering [Policy Guideline 16 Compensation for Damage or Loss](#), and section 59 of the Act, which requires an application for dispute resolution to include full particulars of the dispute that is to be the subject of the dispute resolution proceedings, I dismiss the tenant's application for compensation, with leave to reapply. This will permit the tenant to articulate the basis for her claim, and for the landlord to know the case against him, and prepare and respond accordingly.

Conclusion

The tenant's application is dismissed.

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 28, 2023

Residential Tenancy Branch