



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC, MNDCT, RP, PSF, LRE, LAT, RPP, OLC, OT, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47;
- a monetary order for compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67;
- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62;
- an order to the landlord to make repairs to the rental unit pursuant to section 32;
- an order to the landlord to provide services or facilities required by law pursuant to section 65;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70;
- an order requiring the landlord to return the tenant's personal property pursuant to section 65;
- an order to allow access to or from the rental unit or site for the tenant or the tenant's guests pursuant to section 70; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties participated in the teleconference and gave affirmed testimony. The tenant had an interpreter assist him for this conference. At the outset of the hearing, both parties confirmed that the tenant moved out on March 9, 2023 and that the tenant had possession of the unit.

I informed the tenant that he was provided with a priority hearing date, due to the urgent nature of his application. I informed him that this was the central and most important, urgent issue to be dealt with at this hearing.

I notified the tenant that his monetary claim was dismissed with leave to reapply. I informed him that he received a priority hearing date for the end of tenancy issue, as his monetary claim was a non-urgent lower priority issue, and it could be severed at a hearing. This is in accordance with Rules 2.3 and 6.2 of the RTB *Rules* above. The tenant confirmed his understanding of same with the help of the interpreter and after 25 minutes of explaining the process to him.

I notified the tenant that he could file a new application and pay a new filing fee if he wants to pursue his monetary claim in the future. He confirmed his understanding of same.

As the tenancy has ended, I dismiss the tenants application in its entirety without leave to reapply save and except the monetary claim.

Conclusion

The remainder of the tenant's application is dismissed in its entirety without leave to reapply.

The tenants monetary claim is dismissed with 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: May 25, 2023

Residential Tenancy Branch