



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

Preliminary Decision and Reasons for Adjournment

Dispute Codes CNL, MNDC, RR, FF

Introduction

This hearing dealt with an application by the tenant to cancel a Notice to End Tenancy for Landlord's Use of Property, a monetary order for compensation for damage or loss, to allow the tenant to reduce rent for repairs and recovery of the filing fee. Both parties attended at the scheduled start time of the hearing.

At the outset, the tenants confirmed their earlier written request for an adjournment of the conference call hearing in favour of a face-to-face hearing. Reasons cited in support of this request included the extensive amount of evidence submitted in addition to an opportunity to provide playback equipment for the review of documentary and photographic evidence. The landlord objected to the adjournment as they felt a face to face hearing was not necessary.

I am satisfied that there is no prejudice to the landlord as a result of the tenants' request and I therefore grant the request for adjournment of the conference call hearing in favour of a face-to-face hearing.

As I am not seized of this matter, a face-to-face hearing will be scheduled in the **Kelowna** office of the Residential Tenancy Branch with the next available dispute resolution officer. A notice of hearing will be sent to the parties under separate cover.

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: October 27, 2010

Dispute Resolution Officer