



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, MNSD, FF

Introduction

This was a cross-application hearing.

The landlord confirmed receipt of the 2 tenant's February 14, 2012, application; however it was served to the landlord only 5 days prior to the hearing. The landlords 53 page evidence submission was then submitted late to the tenant's and Residential Tenancy Branch; although the tenants indicated they wished to proceed and would not dispute reference to the evidence.

The landlord named both tenants on his December 12, 2011, application.

The parties agreed that each tenant had separate signed tenancy agreements, for rooms in a lower level of the home owned by the landlord. The tenants shared a common area kitchen, living room and bathroom with a total of 4 tenants. The landlord did not share the bathroom or kitchen.

The tenants made one application even though they have separate tenancies.

Neither party requested return of the deposit; the landlord did not claim against any deposits that he may hold.

As there are individual tenancy agreements signed I determined that each application would be dismissed with leave to reapply. I explained that each tenant had a right to claim against the landlord and that the landlord had the right to claim against each tenant, but that the tenancies were individual and should not be combined in one application.

The parties were told that evidence submissions are not transferred between files.

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: February 22, 2012.

Residential Tenancy Branch