



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes MND MNR MNDC OLC RPP FF

Introduction

This hearing was first convened, pursuant to applications by the tenants and the landlord, on March 1, 2013. On that date, the tenants stated that they had only received the landlord's evidence on February 28, 2013, the day before the hearing. I granted an adjournment to allow the tenants additional time to consider and respond to the landlord's evidence.

Procedural Issues – Adjournments

The hearing reconvened on April 4, 2013. On that date, I heard evidence from the tenants regarding their application for monetary compensation and recovery of personal possessions. The landlord then informed me that they had received the tenants' evidence less than five business days before the reconvened hearing. I adjourned the matter a second time and informed the parties that the only further evidence that may be submitted would be the landlord's response to the tenants' last evidence package.

The hearing reconvened a second time on May 2, 2013. On that date, I heard the landlord's response to the tenants' claim. The landlord stated that they were willing to return the tenants' possessions that they still retained. The parties agreed that they could meet on May 3, 2013 at 5:00 p.m. for the tenants to pick up their possessions being held by the landlord.

Interim Order – Return of Personal Possessions

I ordered that the parties do so, and make lists of the items being returned. I advised the parties that they may take photographs or have witnesses give evidence if there were any disputes regarding the possessions returned or any lack of compliance of the other party with this order. I ordered the parties to submit copies of their lists, and indicated that I would allow the parties to submit further evidence regarding return of the

possessions if they wished. I allowed the tenants to submit a written response to the landlord's evidence the tenants' claim, but I advised the parties that I would not hear testimony on those materials or a further written or oral response from the landlord. The parties must serve the materials noted above not only on the Branch but also on the other party. Submissions must be made in accordance with the Rules of Procedure, within five business days of the next hearing date of June 4, 2013; therefore, they must be received by the Branch and the other party by May 27, 2013.

To give effect to this order, I further order the tenants to amend their application to remove from their claim any items that the landlord has returned. The tenants must submit their amended application to the Branch and the landlord.

Reconvening June 4, 2013

When the hearing reconvenes on June 4, 2013 at 1:00 p.m., I will confirm that the parties complied with my orders as set out in this interim decision, and then I will hear the evidence of the landlord and the tenant regarding the landlord's application for monetary compensation.

This interim 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 6, 2013

Residential Tenancy Branch