



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, LAT, MNDC, FF

The tenants seek to cancel a ten day Notice to End Tenancy dated July 5, 2013 and to obtain an order authorizing them to change the locks of the premises and for a monetary award of damages for a variety of claims regarding the state of the premises.

The landlord did not attend the hearing though duly served by registered mail to the address given in the ten day Notice. The record of Canada Post shows the registered mail went "unclaimed by recipient."

The tenants withdrew their claim to cancel the Notice and for a lock change, saying they intend to move.

The tenants are not prepared to proceed with their damages application today. They request an adjournment of their application for damages in order to allow them more time to amass and organize their evidence in support of that claim. At present I am unable to schedule matters as far in advance as to accommodate an adjournment of this matter. As well, the landlord may decide to attend if served with the tenants' evidence package. I therefore dismiss the tenants' application, with leave to re-apply and I specifically reserve the question of recovery of the filing fee for this application to the arbitrator who might hear the tenants' re-application.

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: August 22, 2013

Residential Tenancy Branch

