



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Prince George Metis Housing Society
and [tenant name suppressed to protect privacy]

INTERIM DECISION

Dispute Codes:

CNC; FF

Introduction

This is the Tenants' application to cancel a Notice to End Tenancy for Cause and to recover the cost of the filing fee from the Landlord.

The parties gave affirmed testimony at the Hearing.

Preliminary Matters

It was determined that the Tenants served the Landlord with the Notice of hearing documents and copies of their documentary evidence by handing the documents to the Landlord's agent on October 29, 2013.

The Landlord's agent testified that she mailed the Landlord's documentary evidence to the Tenants, by registered mail, on December 6, 2013. The Rules of Procedure require documents to be served as soon as possible, but in any event at least 5 clear days before the Hearing. When calculating the "5 clear days", the day of service and the day of the Hearing are not included. Service by mail is deemed to be received 5 days after mailing the documents.

The Tenants sought an adjournment to allow them time to consider the Landlord's documentary evidence. The Landlord's agent agreed to the adjournment and asked that it be set some time after January 6, 2013.

Two copies of a Notice of Reconvened Hearing are enclosed with the Tenants' copy of this Interim Decision. This matter is adjourned to the date and time indicated on the Notice of Reconvened Hearing. The Tenants must serve the Landlord with a copy of the Notice of Reconvened Hearing, in accordance with the provisions of Section 89 of the Act.

Conclusion

This matter is adjourned to the date and time provided in the Notice of Reconvened Hearing. The Tenants' copy of this Interim Decision encloses two copies of the Notice of Reconvened Hearing. **The Tenants must serve the Landlord with a copy of this Notice of Reconvened Hearing.**

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: December 17, 2013

Residential Tenancy Branch

