



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding TOP PRODUCERS REALTY LTD. P.M. DIV
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, FF
 CNR, MT

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by both the Landlords and Tenants. The Tenants applied for more time to cancel a notice to end tenancy for unpaid rent. The Landlords applied for an Order of Possession and a Monetary Order for unpaid rent, and to recover the filing fee.

The Landlord named on the Tenant’s Application who is also the owner of the rental unit appeared on the same line with one of the Tenants.

The parties explained that the Tenants had moved out of the rental suite before this hearing. As a result, I dismissed the Landlord’s Application for an Order of Possession and all of the Tenants’ Application as these are now moot issues which are no longer required to be determined.

However, this left the Landlord’s monetary claim for unpaid rent and to recover the filing fee. The parties were still at dispute about aspects of the Landlord’s monetary claim and the Landlord explained that there were damages to the rental unit which exceed the monetary jurisdiction of the Residential Tenancy Branch for which he had not made a claim. The Landlord explained that he was due to have a consultation with his legal representative about how to proceed with his monetary claim.

As a result, I dismissed the Landlord’s Application for his monetary claim and provided leave to re-apply after his legal consultation.

The parties remained on the line and were provided further information with regards to their rights and obligations under the *Residential Tenancy Act*.

Conclusion

For the reasons set out above, I dismiss the Landlords' and Tenants' Applications.

However, the Landlord is provided leave to re-apply for his monetary claim.

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*.

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Dated: October 14, 2014

Residential Tenancy Branch