



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes:

Landlord's application: MND; MNR; MNSD; MNDC; FF

Tenants' application: MNDC; MNSD; FF

Introduction

This Hearing was convened to consider cross applications. The Landlord seeks a monetary order for damages to the rental property and unpaid rent; compensation for damage or loss under the Act, regulation or tenancy agreement; to apply the security deposit in partial satisfaction of her monetary award; and to recover the cost of the filing fee from the Tenants.

The Tenants seek return of the security deposit; compensation for damage or loss under the Act, regulation or tenancy agreement; and to recover the cost of the filing fee from the Landlord.

The parties gave affirmed testimony at the Hearing.

This matter was convened on November 20, 2014, and adjourned to January 7, 2015. An Interim Decision was rendered on November 21, 2014, which should be read in conjunction with this Interim Decision.

Issues to be Determined:

- Is the Landlord entitled to a monetary award for damages to the rental unit and compensation for "cost incurred due to excessive noise after 10pm"?
- Is the Landlord entitled to unpaid rent or loss of revenue for the month of July, 2014?
- Are the Tenants entitled to compensation for loss of quiet enjoyment?
- Are the Tenants entitled to return of the security deposit?

Background and Evidence

This matter was reconvened to hear the Tenants' response to the Landlord's testimony regarding her application. Following the Tenants' testimony, the Landlord gave her final

submissions. The parties' testimony will be recorded in my final Decision. The time allotted for the Hearing ran out before the Tenants could give submissions on their application.

The Hearing was adjourned. At the reconvened Hearing, the Tenants' application will be heard.

Conclusion

Copies of a Notice of Reconvened Hearing are provided to both parties. Neither party is required to serve the other with a copy of this Notice. This matter is adjourned to the date and time provided in the enclosed Notice of Reconvened Hearing.

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: January 9, 2015

Residential Tenancy Branch

