



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      RPP, OLC

### Introduction

This hearing convened as a result of a Tenant's application for dispute resolution wherein he sought the return of his personal possession and an order that the Landlord comply.

The original hearing date of January 22, 2015 was adjourned due to problems the Tenant had connecting to the hearing. The hearing was reconvened on February 12, 2015.

The Tenant, the Landlord as well as the Landlord's son attended the February 12, 2015 hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions to me.

During the February 12, 2015 hearing, the parties reached a comprehensive settlement. Pursuant to section 63 of the *Residential Tenancy Act*, I record their settlement in this my decision. The terms of the settlement are as follows:

1. The Tenant, and his sister, D.S., shall attend the rental unit on February 21, 2015 from 1:00 p.m. to 2:00 p.m. for the purpose of retrieving the following possessions:
  - a. the Tenant's 9 drawer teak dresser, which was formerly located in the Tenant's bedroom in the rental unit;
  - b. the Tenant's desk which was formerly located in the Tenant's bedroom in the rental unit;
  - c. the Tenant's queen size top mattress which was formerly located in the Tenant's bedroom in the rental unit;

- d. the Tenant's bedding which were formerly located in the Tenant's bedroom in the rental unit;
  - e. all the Tenant's clothing which were formerly located in the Tenant's bedroom in the rental unit; and
  - f. the Tenant's boxes which were formerly located in the basement storage area.
2. the Landlord will have a third party in attendance during the time set out above; however, the Landlord's son, P.L., shall not to be present during this time;
  3. each party shall take photos of the condition of the property noted above; and
  4. if the Tenant fails to attend the rental unit as set out above, the Landlord is entitled to treat the Tenant's property as abandoned pursuant to Part 5 of the *Residential Tenancy Regulation*.

The Landlord testified that she moved the Tenant's belongings from the rental unit to the storage area under the patio such that the Tenant did not need to enter the rental unit to retrieve the above.

### Conclusion

The parties resolved the Tenant's claims by mutual agreement. The Tenant is to attend the rental property on February 21, 2015 from 1:00 p.m. to 2:00 p.m. to retrieve his items.

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: February 13, 2015

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Residential Tenancy Branch

