



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Community Builders Benevolence Group and #0955802 B.C. Ltd.
and [tenant name suppressed to protect privacy]

INTERIM DECISION

Dispute Codes MNDC, OLC, RP, PSF, RR

Background

In a preliminary decision dated September 21, 2015 I directed, among other matters, that the applicants in these joined proceedings provide their evidence by separate written affidavit. I also directed the landlord to provide specific information as set out in the September 21st decision.

On October 5, 2015 I conducted what was described as a case planning hearing. At the hearing the lead applicant requested an adjournment to allow submission of the individual affidavits for each applicant as requested by the interim decision. The applicant had submitted a substantial quantity of documents and submissions, but they were not in the form of separate written affidavits as requested by the preliminary decision.

In the September 21, 2015 decision I requested that the landlord provide specific information at the October 5th hearing; the landlord was asked to provide from its records and rent rolls, the particulars of each applicant's tenancy and to provide documents and records with respect to repairs and service outages for the rental property and its systems as specified in the decision. The landlord provided some of the documents and evidence requested. The landlord declined to provide the particulars of each tenancy and copies of the tenancy agreements, apart from that of the lead applicant. The landlord's representatives alleged that some of the tenant applicants are unaware that the lead applicant is purporting to act on their behalf. The landlord's position, stated at the hearing, is that these proceedings should not be joined and each application should be conducted by separate hearing, with each tenant being present for the hearing of the individual application.

On October 5, 2015 I granted the lead applicant's request, framed as an adjournment request for a period of two months to allow time for the preparation of the affidavit material. I did not fix a specific date to reconvene this proceeding, but advised the

parties that I would issue an interim decision to record the results of the hearing and to advise the parties of the next steps with respect to the hearing of these applications.

I have received information from administrative employees at the Residential Tenancy Branch that the tenants' representatives have advised that the preparation of written affidavits and the cataloguing of evidence is nearing completion.

I am seized of these matters and there is no prospect for scheduling hearings with respect to these applications this year. I direct that the applicants have until January 15, 2016 to complete and submit all written affidavits to the Residential Tenancy Branch and to the landlord.

The parties will be advised as to the scheduling of hearings after January 15, 2016.

The landlord will be entitled to submit documentary evidence in response to the written affidavits and other evidence and the landlord will be expected to provide particulars with respect to each tenancy in response to the affidavit evidence as required by the September 21, 2015 preliminary decision.

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 4, 2015

Residential Tenancy Branch

