



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

Tenants' Application: CNC, MNDC, PSF, RP, FF

Landlord's application: OPL, ET, FF

### **Introduction**

This was a hearing with respect to applications by the tenants and by the landlord. The landlord applied for an order of possession and the tenants applied for a monetary award. The hearing was conducted by conference call. The tenants and the landlord called in and participated in the hearing.

In her application the landlord requested an order of possession pursuant to a two month Notice to End Tenancy for landlord's use. As of the date of the hearing the tenants had moved out of the hearing and the landlord no longer required an order of possession. The landlord's application is therefore dismissed.

The tenants applied in their application for various remedies, including a repair order and an order requiring the landlord to provide services and facilities. Because the tenancy has ended, there is no basis for these claims and they are dismissed without leave to reapply.

The remaining claim by the tenants is for a monetary award said to be for compensation for a lack of laundry facilities during the tenancy.

The tenants also said at the hearing that they intend to pursue a claim against the landlord for the refund of their security deposit although, according to their testimony at the hearing, the landlord has refunded the entire amount of the security deposit plus a refund of rent paid for September in the amount of \$1500.00.

The tenant said at the hearing that they were unable to provide evidence to support their claim that there was a plumbing problem in the rental unit because the landlord would not allow the tenant's plumber to access the rental unit. The tenant said they were delayed in getting a report on the plumbing before the hearing. They requested more time to provide evidence and sought to include a claim with respect to the security deposit.

### Analysis

The tenants claimed that the landlord prevented them from having their plumber make an inspection of the rental unit; the landlord denied that this was the case. The tenants requested more time to provide evidence. Because the tenants said they also intend to make a claim with respect to the return of their security deposit which they contend was returned late and because the landlord's claim for an order of possession has been resolved, I decline to adjourn the tenants' application; instead I dismiss the tenants' claim for a monetary order with leave to reapply. If they intend to pursue a claim with respect to the security deposit they can include that matter in a new claim and the landlord will have the opportunity to submit evidence in replay to both claims.

### Conclusion

The landlord's application for an order of possession is dismissed. The tenants' application for a monetary order is dismissed with leave to reapply.

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: September 20, 2016

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Residential Tenancy Branch