



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, CNR, MNR, MNDC, OLC, ERP, FF
ERP, MNDC, OLC, RPP, FF. O
MNDC, RP, RPP, LRE, RR, FF

Introduction

This hearing was convened by way of conference call concerning 3 applications made by the tenant which have been joined to be heard together.

In the first application, the tenant has applied for an order cancelling a notice to end the tenancy for landlord's use of property; for an order cancelling a notice to end the tenancy for unpaid rent or utilities; for a monetary order for the cost of emergency repairs; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order that the landlords comply with the *Act*, regulation or tenancy agreement, for an order that the landlords make emergency repairs for health or safety reasons; and to recover the filing fee from the landlords for the cost of the application.

In the second application the tenant has applied for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order that the landlords comply with the *Act*, regulation or tenancy agreement; for an order that the landlords make emergency repairs for health or safety reasons; for an order that the landlords return the tenant's personal property and to recover the filing fee.

In the third application the tenant has applied for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order that the landlords make repairs to the unit, site or property; for an order that the landlords return the tenant's personal property; for an order suspending or setting conditions on the landlords' right to enter the rental unit; for an order allowing the tenant to reduce rent for repairs, services or facilities agreed upon but not provided; and to recover the filing fee.

Two of the applications were scheduled to be heard on September 12, 2016, and a Decision of the director has been provided for this hearing. The Decision adjourns the hearing and orders that all applications be heard together.

The hearing did not conclude on the 1st or 2nd scheduled dates and was adjourned to continue on a 3rd scheduled date. The landlords and the tenant attended on the first 2 scheduled dates, both parties with legal counsel. The tenant gave affirmed testimony, as well as a witness for the tenant, who was called out of order to facilitate the witness' schedule. An interpreter for the landlords also attended on the 1st and 2nd scheduled dates, who was affirmed to well and truly interpret the proceedings from the landlords' native language to the English language, and from the English language to the landlords' native language.

On the final day of the hearing, an Articled Student attended the hearing for the tenant and for counsel of the tenant, and advised that the parties have settled this dispute and requested that the hearing be adjourned generally. The line remained open while the phone system was monitored for in excess of 10 minutes and no one for the landlords attended the call.

Pursuant to Sections 63 and 64 of the *Residential Tenancy Act*, I find it just in the circumstances, and I hereby adjourn the hearing generally.

Conclusion

For the reasons set out above, the applications of the tenant are hereby adjourned generally.

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: January 23, 2017

Residential Tenancy Branch