



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OLC, ERP, RP, PSF, RPP, LRE, FF

### Introduction

This hearing was scheduled to deal with the tenants' application for: orders for compliance; emergency repair orders; repair orders; orders for the landlord to provide services or facilities required by law; return of the tenant's personal property; and to suspend or set conditions on the landlord's right to enter the rental unit. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

### Preliminary and Procedural Matters

At the outset of the hearing, I confirmed that the tenants have since vacated the rental unit. Accordingly, most of the remedies sought by the tenants by way of their application have become moot. I explored the tenant's request for return of personal property. The tenants explained that this request refers to a copy of the move-in inspection report that they did not receive at the start of the tenancy. The landlord stated that he sent a copy of the move-in and move-out inspection report, as one document, to the tenants via registered mail shortly after the tenancy ended. The tenants acknowledged receipt of the document as described by the landlord but wanted a copy of the report that was prepared at the start of the tenancy without the move-out component added. The landlord explained that he used the original move-in inspection report and added the move-out component so the document the tenants seek, as they described, no longer exists. I accepted that the document the tenants seek no longer exists and it would be futile to order the landlord to produce a document that no longer exists. Therefore, I did not consider this request further.

The tenants also stated that they wished to pursue a monetary claim against the landlords. I noted that the tenants' application appears to have had a monetary component at one time but the monetary claim was crossed out and initialled by the

tenants. I confirmed that the application served upon the landlords also depicted a monetary claim that had been crossed out. Accordingly, I found that the landlords had not been put on notice that a monetary claim would be dealt with during this hearing and I informed the tenants that they remained at liberty to file a monetary claim by way of another Application for Dispute Resolution.

Without any remaining remedies to resolve I dismissed the tenant's application and ended the teleconference call.

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 15, 2017

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Residential Tenancy Branch