



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes MND, MNSD, FF

Introduction

This hearing was scheduled to consider cross-applications pursuant to the *Residential Tenancy Act* (the “*Act*”).

The tenant seeks:

- authorization to recover the security deposit pursuant to section 38; and
- authorization to recover the filing fee for this application from the landlords pursuant to section 72.

The landlords seek:

- a monetary order for damage to the rental unit, and for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all of the security deposit pursuant to section 38; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

The tenant and the landlord, KS attended the hearing. KS testified that he has no information regarding this tenancy or the application and has no authority to settle this matter. KS testified that the landlord, RP has sole authority to deal with this tenancy.

Prior to the hearing, the landlords submitted a request that the hearing be rescheduled as there was a death in RP’s family. The landlord, KS testified that RP will be out of the country to deal with details of the estate and expects to be available in about two weeks’ time.

The tenant expressed his desire to proceed with the hearing but conceded that the landlord’s absence was unforeseeable and unavoidable. Under these circumstances,

pursuant to the Residential Tenancy Branch Rules of Procedure 7.8, I adjourn this application to be reconvened on March 16, 2017 at 11:00am. A Notice of Adjourned Hearing is enclosed with this decision for each party, which includes the conference call instructions. The parties are not required to serve one another with a copy of the Notice.

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 27, 2017

Residential Tenancy Branch

