



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

Tenant's Application, made June 9, 2017: CNL; OLC; O; FF  
Landlords' Application, made June 13, 2017: OPL; FF

### **Introduction**

This Hearing was convened to consider cross Applications for Dispute Resolution. The Tenant seeks to cancel a 2 Month Notice to End Tenancy for Landlord's Use issued May 24, 2017 (the "Notice"); an Order that the Landlords comply with the Act, regulation or tenancy agreement; "other" unspecified order(s); and to recover the cost of the filing fee from the Landlords.

The Landlords seek an Order of Possession based on the Notice; and to recover the cost of the filing fee from the Tenant.

These matters were scheduled to be heard on August 11, 2017. The matters were adjourned on August 11, 2017, due to time restraints. An Interim Decision was made on August 17, 2017, and the Hearing was reconvened, to be heard on September 21, 2017.

The Landlord MR and the Tenant gave affirmed testimony at the Hearing.

At the outset of the reconvened Hearing, it was determined that the tenancy had ended pursuant to a notice to end the tenancy for unpaid rent, for which an Order of Possession had been granted on August 29, 2017. The Tenant vacated the rental unit "on September 3 or 4, 2017".

The parties testified that there are still outstanding issues, none of which were before me, and for which there are other hearings set. The parties wanted to argue the merits of the outstanding issues, but I explained that they would have an opportunity to do so

at the time of the other hearings. The Landlord also wanted me to make a ruling on the validity of one of the clauses in the Contract for Purchase and Sale. I advised the parties that they might both wish to seek legal advice and that I would not be making any ruling which might tie the hands of the arbitrator tasked with the upcoming hearings.

I also encouraged them both to try to come to an agreement with respect to any remaining outstanding issues, and that if they were successful in doing so, to let the RTB know so that the future hearing dates could be freed up for other disputes.

I make no order with respect to recovery of the parties' filing fees.

### **Conclusion**

The tenancy has ended and therefore both of the Applications are dismissed.

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 22, 2017

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Residential Tenancy Branch