



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## INTERIM DECISION

Dispute Codes      CNC

### Introduction

This hearing dealt was scheduled to address the tenants' application pursuant to the *Residential Tenancy Act* ("the Act") for the return of their security deposit pursuant to section 38.

The tenants both attended. The landlords did not attend this hearing although the line remained open for approximately 20 minutes. The tenants requested an adjournment of this hearing as they had been unable to sufficiently serve the landlords with their Application for Dispute Resolution package which includes their evidentiary materials as well as the Notice of this hearing.

Given that the tenants are entitled to apply to recover their deposit, that their original application was made within the allowable time line and that the tenants testified that they had health conditions that exacerbated the delay in scheduling this hearing, I allowed the tenants an adjournment in order to ensure that they properly serve the landlords. .

I find that there is no substantial prejudice to the landlords in granting this adjournment and that, given all of the circumstances described by the tenants it is in keeping with the principles of fundamental justice and fair process to grant the tenants their adjournment request.

Therefore, the matter was adjourned until **January 8, 2017 at 3:00 pm**. Prior to January 3, 2018 the applicants are required to serve both their original application and notification of the new hearing date (January 8, 2017) by registered mail or another acceptable method of service pursuant to section 89 of the Act. They must provide proof of this service prior to the next hearing date.

### Conclusion

I adjourn the tenants' application to be continued at the reconvened hearing. I order that the proceeding be reconvened in accordance with section 74 of the *Act*. **Notices of Reconvened Hearing are enclosed with this interim decision.**

For more information see our website at: [gov.bc.ca/landlordtenant](http://gov.bc.ca/landlordtenant). If either party has any questions they may contact an Information Officer with the Residential Tenancy Branch at:

**Lower Mainland:** 604-660-1020

**Victoria:** 250-387-1602

**Elsewhere in BC:** 1-800-665-8779

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: December 22, 2017

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Residential Tenancy Branch