



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding AlohaMath Canada Inc.
and [tenant name suppressed to protect privacy]

INTERIM DECISION

This hearing was convened in response to cross applications. These matters were the subject of a dispute resolution proceeding on December 19, 2017. The hearing on December 19, 2017 was adjourned to provide the parties with the opportunity to re-serve evidence to the other party.

The Tenant filed an Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause, to cancel a Notice to End Tenancy for Unpaid Rent; for an Order requiring the Landlord to make emergency repairs; and for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)* or the tenancy agreement.

After reviewing the evidence submitted in regards to this matter and hearing the oral submissions of the parties, I find it appropriate for me to view the original tenancy agreements submitted in evidence by each party and the original rent receipts submitted in evidence by the Tenant.

Pursuant to rule 3.8 of the Residential Tenancy Branch Rules of Procedure, I hereby direct the Landlord to submit the entire original tenancy agreement submitted in evidence by the Landlord to the Residential Tenancy Branch.

Pursuant to rule 3.8 of the Residential Tenancy Branch Rules of Procedure, I hereby direct the Tenant to submit the entire original tenancy agreement submitted in evidence by the Tenant and the original rent receipts submitted in evidence to the Residential Tenancy Branch.

The parties must send the aforementioned original documents to the Residential Tenancy Branch, via registered mail, no later than January 26, 2018. In large letters on the front of the envelope the parties must write: Original Documents for the Attention of Arb. Senay. The packages must be mailed to Box 9298, Stn Prov Govt, Victoria, BC V8W 9J8.

As the parties were advised at the hearing, the Landlord also has the right to submit the two page hand-written ledger to the Residential Tenancy Branch that was allegedly previously submitted to the Branch. This document must be submitted no later than January 26, 2018.

As the parties were advised at the hearing, the Landlord also has the right to submit the letter, dated February 17, 2017, to the Residential Tenancy Branch that was allegedly previously submitted to the Branch. This document must be submitted no later than January 26, 2018.

Pursuant to section 74(2) of the Act I hereby authorize each party to submit a written submission in which the party outlines the method of payment used to pay rent since May 01, 2016. In the event the rent was paid in a form other than cash, the parties may provide a written submission explaining why they did not submit documentary evidence, such as bank statements or cancelled cheques, which help to establish the amount and dates that rent was paid.

The aforementioned written submissions must be submitted to the Residential Tenancy Branch no later than January 26, 2018 and must also be served to the other party no later than January 26, 2018.

I find these written submissions are necessary because the method of payment may have a significant impact on my decision and I neglected to ask that question during the hearing.

I recognize that the directions provided in this interim decision will delay my decision by approximately two weeks, which may be unfair to the Landlord if I find in favour of the Landlord. **To reduce the impact the delay may have on the Landlord I hereby order that beginning February 01, 2018 the Tenant must pay her rent by electronic transfer so the payments can be easily proven if there is a continued dispute regarding missed payments.** At the hearing the Tenant indicated that she was willing and able to pay rent in this manner.

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 15, 2018

Residential Tenancy Branch