



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## INTERIM DECISION

### Dispute Codes

CNL; FF

### Introduction

This Hearing was scheduled to consider the Tenants' Application for Dispute Resolution seeking to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property issued September 25, 2017 (the "Notice") and to recover the cost of the filing fee from the Landlord.

Both parties attended the Hearing and gave affirmed testimony. At the outset of the Hearing, the Landlord stated that he had also made an Application, seeking an Order of Possession related to the same Notice. **The Landlord testified that the documents upon which he intended to rely were filed with his Application and not with the Tenants' Application.** The Landlord wished to have both matters considered at this Hearing.

The Tenants provided a great deal of electronic evidence and not all of the pages were numbered. I searched the electronic data base for the Landlord's Application and discovered that the Landlord had provided an even larger number of electronic documents, also with unnumbered pages. By the time the confusion had been sorted out, there remained only 30 minutes left in the Hearing schedule which was insufficient time for me to prepare for the Landlord's Application and then run the Hearing.

I granted the Landlord's application for both matters to be heard together, in fairness to both parties. These matters pertain to the same rental property, name the same landlord and the same or similar findings of fact will have to be considered by the arbitrator. I find there is no prejudice to the Tenants to adjourn their Application. Therefore, pursuant to the provisions of Rule 2.10 of the Rules of Procedure, I order

that both of these matters be heard on February 20, 2018, at 11:00 a.m., which is the date already scheduled for the Landlord's Application.

**Conclusion**

I order that this matter be adjourned to February 20, 2018, at 11:00 a.m., to be heard with the Landlord's Application, pursuant to the provisions of Rule 2.10 of the Rules of Procedure.

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 10, 2018

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Residential Tenancy Branch