



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, LAC, LRE, RR, MNDC, PSF, FF

Introduction

The tenants apply for a compliance order, an order limiting the landlord's right to enter, a rent reduction, an order that the landlord provide a service or facility and for a monetary award.

It is apparent from the records of the Residential Tenancy Branch that the tenants' evidentiary material in support of their application was filed six, seven and eight days before the hearing, in non-compliance with the 14 day requirement in the Rules of Procedure. As well, the tenants wish to add a claim for anticipated moving costs but have not given the landlord notice of that claim. As well, the landlord has attempted to bring a counterclaim in the material he has filed but has not made the required formal application for dispute resolution.

In these circumstances the tenants chose to withdraw their claim and the landlord did not disagree.

I permit the tenants to withdraw their claim and grant them any leave that may be required in order for them to re-apply.

If the landlord wishes to pursue his claim he is required to make a formal application for dispute resolution.

The parties should ensure that any competing claims are heard together, by informing the Residential Tenancy Branch of the existence of any other claim at the time they make their application.

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 31, 2018

Residential Tenancy Branch