



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes MT CNC CNR ERP LAT LRE MNDCT OLC PSF FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking the following relief:

- more time than prescribed to dispute a notice to end the tenancy;
- an order cancelling a notice to end the tenancy for cause;
- an order cancelling a notice to end the tenancy for unpaid rent or utilities;
- an order that the landlord make emergency repairs for health or safety reasons;
- an order authorizing the tenants to change the locks to the rental unit;
- an order limiting or setting conditions on the landlord's right to enter the rental unit;
- a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement;
- an order that the landlord comply with the *Act*, regulation or tenancy agreement;
- an order that the landlord provide repairs, services or facilities agreed upon but not provided; and
- to recover the filing fee from the landlord for the cost of the application.

The landlord attended the hearing with an agent to assist. Both tenants also attended with a witness.

During the course of the hearing the tenants advise that they have vacated the rental unit and withdrew all claims except for the monetary claim for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement and to recover the filing fee from the landlord.

The parties also advised that another hearing is scheduled for May 2, 2018 at 11:00 a.m. respecting the landlord's application. The record shows that this hearing and the hearing scheduled for May 2, 2018 have been joined to be heard together, but neither party is aware of how or why they were joined, and the hearing dates are not the same. This may very well be an administrative error by the Residential Tenancy Branch. However, the parties have both provided evidentiary material for this hearing but none has been

provided within the time limits required by the Rules of Procedure. Therefore, I adjourned the tenants' application to be heard with the landlord's application and both applications will be heard on May 2, 2018 at 11:00 a.m.

I have made no findings of fact or law with respect to the merits of this matter, and any evidence that either party wishes to rely on must be exchanged and provided to the Residential Tenancy Branch within the time limits set out in the Rules of Procedure.

Conclusion

For the reasons set out above, the tenants' applications for the following relief are withdrawn:

- more time than prescribed to dispute a notice to end the tenancy;
- an order cancelling a notice to end the tenancy for cause;
- an order cancelling a notice to end the tenancy for unpaid rent or utilities;
- an order that the landlord make emergency repairs for health or safety reasons;
- an order authorizing the tenants to change the locks to the rental unit;
- an order limiting or setting conditions on the landlord's right to enter the rental unit;
- an order that the landlord comply with the *Act*, regulation or tenancy agreement; and
- an order that the landlord provide repairs, services or facilities agreed upon but not provided.

The balance of the tenants' application will be heard jointly with the landlord's application scheduled for May 2, 2018 at 11:00 a.m.

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: March 13, 2018

Residential Tenancy Branch