



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FFL, MNDC-L, OPB, OPC, OPM

Introduction and Conclusion

This hearing convened as a result of a Landlords' Application for Dispute Resolution wherein the Landlord requested an order of Possession and monetary compensation from the Tenant as well as recovery of the filing fee.

The hearing was scheduled for 9:00 a.m. on this date. Both parties called into the hearing.

At the outset of the hearing the Landlord, M.A., stated that the Tenants had vacated the rental unit and as such an Order of Possession was no longer required. He also stated that he wished to make an application for monetary compensation for damage to the rental unit in addition to his request for unpaid rent. He confirmed his wish to proceed on the monetary claim for unpaid rent and damages, as well as authority to retain the Tenants' security deposit, as one application. As the tenancy had yet to end and the Landlords failed to claim for damages in the application before me I could not consider all the Landlords' claims.

The Tenant, S.E., confirmed that they had vacated the rental unit. He also confirmed they dispute the Landlord's claim for monetary compensation for unpaid rent and damages.

As the Tenants have vacated the rental unit, I dismiss the Landlord's claim for an Order of Possession. The Landlord's monetary claim is dismissed with leave to reapply to facilitate a hearing of his entire monetary claim at the same time.

At the hearing the Tenant confirmed his forwarding address was as noted on the Landlord's Application. I have included that address on the unpublished cover page of

this my Decision. As noted during the hearing, and for the purposes of section 38 of the *Act*, I find that the Landlords are in receipt of the Tenants' forwarding address as of July 9, 2018. Pursuant to sections 38(1) and (6), the Landlords have 15 days from the date of the hearing in which to make their application for dispute resolution or return the security deposit.

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: July 9, 2018

Residential Tenancy Branch