



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, ERP, FFT, OLC, RP

Introduction and Conclusion

This hearing convened as a result of a Tenants' Application for Dispute Resolution wherein the Tenants sought the following relief:

- to cancel a 1 Month Notice to End Tenancy for Cause issued on July 27, 2018 (the "Notice");
- an Order that the Landlord:
 - comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulations*, or the residential tenancy agreement; and,
 - make repairs to the rental unit, emergency and otherwise;
- recovery of the filing fee.

The hearing was conducted by teleconference at 11:00 a.m. on September 25, 2018.

The Tenant C.H. and the Landlord called into the hearing and were provided the opportunity to present their evidence orally and in written and documentary form and to make submissions to me.

At the outset of the hearing the Tenant, C.H., confirmed that his first name had been incorrectly noted on the Application for Dispute Resolution. Pursuant to section 64(3)(c) of the *Residential Tenancy Act* I amend the Tenants' Application to correctly note the Tenant C.H.'s name.

C.H. also confirmed that both he and T.O. vacated the rental unit on August 31, 2018. As such, the relief sought in their Application was no longer applicable. **Their application is noted as dismissed.**

C.H. also stated that they have yet to receive their security deposit despite providing the Landlord with their forwarding address on August 31, 2018. The parties were reminded of the provisions in section 38 of the *Residential Tenancy Act* relating to a tenant's 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: September 25, 2018

Residential Tenancy Branch