



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VALDER HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL, CNR, OLC, MNR MNDC, OPL OPR, FF

Introduction

In the first application the tenants seek to cancel a two month Notice to End Tenancy for landlord use of property and a ten day Notice to End Tenancy for unpaid rent.

In the second application the landlord seeks an order of possession pursuant to the Notices as well as a monetary award for unpaid August rent and for the anticipated cost of repainting.

Circumstances have changed since the applications were brought. The landlord reports that the rent claimed has been paid and the tenants report that they are in the process of moving out.

It was agreed that this tenancy will end tomorrow, September 11, at 1:00 p.m. The parties agree that they will meet at the rental unit at that time to conduct a move-out inspection and prepare a report of the condition of the premises.

As a result the tenants' application is dismissed as moot.

The landlord claims the rental unit will require painting and seeks the estimated cost. As stated at hearing, in my view his application is premature. That is a matter to be determined after the tenants have given over possession.

In result the landlord's application is dismissed, with leave to re-apply.

I strongly urge the parties to reach a settlement of this matter.

As each side has been partially successful in this matter I direct that the filing fees offset each other.

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 10, 2018

Residential Tenancy Branch