



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OLC

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62.

Both parties attended the hearing via conference call and provided testimony. Both parties confirmed that the tenants served the landlord with the notice of hearing package in person on March 14, 2019. Both parties confirmed that although documentary evidence was submitted for the hearing, neither party served the other with the documentary evidence. Both parties were notified that the other party must be served with the submitted evidence in order to be considered for the hearing. As both parties have failed to do this, the documentary evidence of both parties are excluded from consideration in this decision. Neither party raised any service issues.

I accept the undisputed testimony of both parties have been sufficiently served as per section 90 of the Act.

Preliminary Issue(s)

At the outset, the tenants clarified that they seek an order for the landlord to provide receipts for cash payments of rent.

The landlord's agent, J.J. (the landlord) stated that he was willing to give rent receipts to the tenants as requested.

Section 26 of the Act was clarified with both parties and states in part,

Rules about payment and non-payment of rent

26 (1) A tenant must pay rent when it is due under the tenancy agreement, whether or not the landlord complies with this Act, the regulations or the tenancy agreement, unless the tenant has a right under this Act to deduct all or a portion of the rent.

(2) A landlord must provide a tenant with a receipt for rent paid in cash.

(3) Whether or not a tenant pays rent in accordance with the tenancy agreement, a landlord must not

- (a) seize any personal property of the tenant, or
- (b) prevent or interfere with the tenant's access to the tenant's personal property.

(4) Subsection (3) (a) does not apply if

- (a) the landlord has a court order authorizing the action, or
- (b) the tenant has abandoned the rental unit and the landlord complies with the regulations.

Section 63 of the Residential Tenancy Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the two parties during the hearing led to a resolution. Specifically, it was agreed as follows:

Both parties agreed that the landlord shall provide to the tenant the prior 12 months of rental receipts issued as of the date of this hearing within 24 hours of the hearing date.

The landlord to provide to the tenants rent receipts for all cash payments.

Both parties agreed that the above noted particulars comprised a full and final settlement of all aspects of the dispute arising from their applications for dispute resolution.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

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: May 03, 2019

Residential Tenancy Branch