



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, FF

Introduction

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

- an order requiring the landlords to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- authorization to recover their filing fee for this application from the landlords pursuant to section 72.

Both parties attended the hearing via conference call and provided testimony.

Preliminary Issue(s)

At the outset, the tenants' application was clarified. The tenants' application description refers to communications between the two parties to end the tenancy as the landlord's daughter wants to occupy the rental unit.

Discussions between the two parties during the hearing confirmed that both parties had agreed to the tenancy to be now a month-to-month agreement.

The tenants requests that the landlord comply with the Act by serving him a notice to end tenancy if the landlord wishes to end the tenancy. Both parties confirmed that no such notice has been issued by the landlord. Both parties were advised that the Residential Tenancy Branch cannot force the landlord to issue a notice to end tenancy. However, if the landlord wishes to end the tenancy with the tenant, the landlord must comply pursuant to section 44 (1) (a) or (c) of the Act.

Both parties confirmed their understanding and that as such no further action is required at this time.

The tenants' application is dismissed without leave to reapply.

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: August 15, 2019

Residential Tenancy Branch