



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HUME INVESTMENTS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MNDC, OPC, FF

Introduction

In the first application the tenants apply to cancel a one month Notice to End Tenancy for cause dated November 13, 2019. In the second application the landlord seeks an order of possession pursuant to the Notice as well as a monetary award for anticipated repair costs.

It is noted that Mr. C.H., named as a landlord in the tenants' application, is not the landlord. He is the person who signed the Notice on behalf of the corporate landlord.

It was noted that the landlord's monetary claim is an "unrelated" claim to the primary claim regarding the question of whether or not the tenants have given cause to end the tenancy. As well, the monetary claim appears to seek anticipated loss for repairs the tenants may take care of themselves before move-out.

For these reasons, pursuant to Rule 2.3 of the Rules of Procedure, I dismiss the landlord's monetary claim, with leave to re-apply.

The parties were able to reach a settlement of the remaining matters at hearing. It was agreed this tenancy will end on January 31, 2020 and that the landlord will have an order of possession for 5:00 o'clock in the afternoon on that day.

It was agreed that the parties will split equally the \$100.00 filing fee for this application. Accordingly, the landlord is authorized to take \$50.00 in reduction of the \$800.00 security deposit paid by the tenants.

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: January 16, 2020

Residential Tenancy Branch