



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Pacific Quorum Properties and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR-DR, MNR-DR, FFL
 OPR-DR, MNR-DR, FFL
 CNR-MT, OLC

Introduction

This hearing was convened by way of conference call concerning 2 applications made by the landlord and an application made by the tenants. The landlord has applied twice by way of the Direct Request process for an Order of Possession and a monetary order for unpaid rent or utilities and to recover the filing fee from the tenants for the cost of the application. The tenants have applied for more time than prescribed to dispute a notice to end the tenancy; an order cancelling a notice to end the tenancy for unpaid rent or utilities; and for an order that the landlord comply with the *Residential Tenancy Act*, regulation or tenancy agreement. The landlord's applications were referred to this participatory hearing, joined to be heard with the tenants' application.

The landlord was represented at the hearing by an agent, and one of the tenants also attended, and represented the other tenant.

At the commencement of the hearing, the tenant advised that the tenants have vacated the rental unit, and the landlord's monetary claim is not correct. The tenants are owed money respecting utilities, and has repaid some, but not the latest amount that the tenants requested. The landlord's agent did not dispute that, but does not know the dollar amount of utilities the landlord is required to repay to the tenant.

Further, I determined that the landlord's Tenant Ledger charges more for late payments of rent than permitted under the regulations.

Neither party is able to provide enough information to determine what is owed to whom, and the parties agreed to get together to attempt to settle this dispute, which may include the security deposit and pet damage deposit.

In the circumstances, I advised the parties that:

1. the landlord's applications for an Order of Possession are dismissed without leave to reapply;
2. the landlord's applications for a monetary order for unpaid rent are dismissed with leave to reapply;
3. the landlord's applications for recovery of the filing fees are dismissed without leave to reapply;
4. the tenants' application for more time than prescribed to dispute a notice to end the tenancy is dismissed without leave to reapply;
5. the tenants' application for an order cancelling a notice to end the tenancy for unpaid rent or utilities is dismissed without leave to reapply; and
6. the tenants' application for an order that the landlord comply with the *Residential Tenancy Act* or tenancy agreement is hereby dismissed with 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 30, 2021

Residential Tenancy Branch