



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to end the tenancy pursuant to section 56 of the Act.

Both parties appeared. During the hearing the parties agreed to settle this matter on the following conditions:

1. The tenants agreed they will be vacating the property no later than November 22, 2021, as they already have a moving truck booked for November 19, 2021;
2. The parties agreed that the move-out condition inspection will occur on November 19, 2021 at 1:00pm; and
3. The tenants agreed that they will appoint an agent, JH to conduct the move-out condition inspection on their behalf.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

At the end of the hearing the landlord requested that the tenants provided their forwarding address, as they are seeking compensation for several months of unpaid rent and damages in a future application.

The tenants refused to provide that information. The tenant also stated that they will change their email address.

Section 89 of the Act and Residential Tenancy Regulations allow for service of documents by email and Section 5(2) of the Act states the Act cannot be avoided. I find it appropriate to make the following Order.

I Order the landlord to serve all subsequent Applications for Dispute Resolution on the tenants by email, at the email address listed for the tenant BT in this application and such service will be considered sufficiently served on both tenants.

The tenants were informed at the hearing, if they chose to change their email address after I have made the above Order, that will be their personal choice, and an attempt to avoid the service provision under the Act. The tenants were informed that the deemed service provisions of the Act will apply. The landlord is to provide a copy of this Decision at any future hearing to show that I have made the above Order and proof of service, such as showing a copy of the sent email with the required attachments.

### Conclusion

As a result of the above settlement, the landlord is granted an order of possession. The landlord is Ordered to service the tenants any future application for dispute resolution by email and this will be sufficiently deemed served on both of 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: November 16, 2021

---

Residential Tenancy Branch