



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes AAT, LAT, LRE, OLC, FFT

Introduction

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

- an order to allow access to or from the rental unit for the tenants or their guests, pursuant to section 70;
- authorization to change the locks to the rental unit, pursuant to section 70;
- an order to suspend or set conditions on the landlords' right to enter the rental unit, pursuant to section 70;
- an order requiring the landlords to comply with the *Act*, *Residential Tenancy Regulation* or tenancy agreement, pursuant to section 62; and
- authorization to recover the \$100.00 filing fee paid for this application, pursuant to section 72.

The two landlords ("landlord HS" and "landlord NS"), the landlords' agent, and the two tenants ("tenant LM" and "tenant MB") attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. This hearing lasted approximately 14 minutes.

This hearing began at 9:30 a.m. with only me present. The two tenants called in late at 9:31 a.m. The two landlords and their agent called in late at 9:33 a.m. This hearing ended at 9:44 a.m.

The two landlords confirmed their names and spelling. Landlord HS confirmed the name and spelling for the landlords' agent. The two tenants confirmed their names and spelling. Landlord HS provided her mailing address and tenant MB provided her email address, for me to send this decision to both parties after this hearing.

Landlord NS and tenant MB identified themselves as the primary speakers for each party at this hearing.

Tenant MB confirmed the rental unit address. Landlord HS confirmed that she owns the rental unit, and she provided the rental unit address.

Landlord HS stated that the landlords' agent attended the hearing to observe only, for moral support. The landlords' agent did not testify at this hearing.

Rule 6.11 of the Residential Tenancy Branch ("RTB") *Rules of Procedure* ("*Rules*") does not permit recording of this hearing by any party. At the outset of this hearing, the two landlords, the landlords' agent, and the two tenants all separately affirmed, under oath, that they would not record this hearing.

I explained the hearing process to both parties. They had an opportunity to ask questions. Neither party made any adjournment or accommodation requests.

Landlord NS confirmed receipt of the tenants' application for dispute resolution hearing package. In accordance with section 89 of the *Act*, I find that both landlords were duly served with the tenants' application.

Pursuant to section 64(3)(c) of the *Act*, I amend the tenants' application to add landlord NS's legal first name, as only his nickname was included as his first name in this application. I find no prejudice to either party in making this amendment.

At the outset of this hearing, tenant MB and landlord NS confirmed that that both tenants vacated the rental unit on July 1, 2022. I informed both parties that the tenants' entire application was dismissed without leave to reapply, including the \$100.00 filing fee, as all claims relate to an ongoing tenancy only. Both parties confirmed their understanding of same.

Conclusion

The tenants' entire 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 22, 2022

Residential Tenancy Branch