



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Tenants' applications: CNC, OLC, FFT; CNR, FFT

Pursuant to section 58 of the *Residential Tenancy Act* (the Act), I was designated to hear two applications regarding a residential tenancy dispute.

The tenants applied on May 20, 2022 for:

- an order to cancel a One Month Notice to End Tenancy for Cause, dated May 10, 2022;
- an order for the landlord to comply with the Act, regulation, and/or tenancy agreement; and
- the filing fee.

The tenants applied on June 7, 2022 for:

- an order to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated June 2, 2022; and
- the filing fee.

The hearing was attended by the tenant's advocate and landlord's counsel, who stated the parties had reached a settlement. Counsel submitted that the landlord sought an order of possession in support of the settlement agreement.

The dispute address is listed as a street address, with no unit identifier. The notices to end tenancy do not identify specific units, though a number of the documents submitted as evidence suggest there are multiple rental units at the dispute street address.

Section 59(2)(b) of the Act states that an application for dispute resolution must include full particulars of the dispute.

Neither the advocate nor counsel were able to provide a unit designation for the dispute address. Therefore, I decline to grant an order of possession, as without naming a specific unit, the order may affect others living at the dispute address.

The matter is dismissed with leave to reapply; leave to reapply is not an extension of any statutory limitations. As the parties resolved their issues independently, I decline to award the filing fees 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: September 16, 2022

Residential Tenancy Branch