



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      CNC-MT, OLC, PSF, OLC, FFT

### Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution, filed on March 13, 2023, wherein the Tenants sought the following relief:

- an order canceling a 1 Month Notice to End Tenancy for Cause, as well as more time to make such an application;
- authority to deduct the cost of repairs, services or facilities from the rent;
- an Order that the Landlord
  - comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the tenancy agreement;
  - provide services or facilities required by law; and
- recovery of the filing fee;

The hearing of the Tenants' Application was scheduled for teleconference at 9:30 a.m. on June 27, 2023. Both parties called into the hearing.

At the outset of the hearing the parties confirmed that the Tenants had vacated the rental unit in the spring of 2023 (either mid April or May 1, 2023). As the tenancy has ended, the Tenants' request for the following relief was no longer relevant:

- an order canceling a 1 Month Notice to End Tenancy for Cause, as well as more time to make such an application;
- an Order that the Landlord
  - comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the tenancy agreement; and,
  - provide services or facilities required by law.

I therefore dismiss the above without leave to reapply .

The parties confirmed that they had yet to deal with the Tenants' security and pet damage deposit. During the hearing the Tenant K.B. confirmed that V.T. would send his forwarding address to the Landlord. The parties were encouraged to review section 38 of the *Act* as it relates to the security and pet damage deposits.

As other financial matters remain to be resolved, I dismiss, with leave to reapply, the Tenants' request for a retroactive rent reduction. The Tenants confirmed they would include this request on any future application dealing with their deposits.

As the Tenants were not successful in their application I also dismiss, without leave to reapply, their request for recovery of the filing fee.

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: June 27, 2023

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Residential Tenancy Branch