

DECISION

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- cancellation of the Landlord's One Month Notice to End Tenancy for Cause (One Month Notice) under section 47 of the Act
- a Monetary Order for compensation for damage or loss under the Act, regulation or tenancy agreement under section 67 of the Act
- an order for the Landlord to make repairs to the rental unit under sections 32 and 62 of the Act
- an order for the Landlord to provide services or facilities required by law under section 27 of the Act
- an order to suspend or set conditions on the Landlord's right to enter the rental unit under section 70(1) of the Act
- an order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act

The hearing also dealt with the Landlord's Application for Dispute Resolution under the Act for:

- an Order of Possession based on a One Month Notice to End Tenancy for Cause (One Month Notice) under sections 47 and 55 of the Act
- a Monetary Order for unpaid rent under section 67 of the Act
- a Monetary Order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement under section 67 of the Act
- authorization to retain all or a portion of the Tenant's security deposit in partial satisfaction of the Monetary Order requested under section 38 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

The Tenants did not attend the hearing. The Landlords attended the hearing.

The Landlords said that the Tenants moved out in early November 2023. For that reason, the Tenants' application is dismissed without leave to reapply because the tenancy is over. Their monetary claim is dismissed with leave to reapply.

The Landlords said that they did not have information regarding service of their application. They also said that they have another application scheduled on February 20, 2024 which relates to the same issues (with additional monetary claims). They consented to the dismissal of their application with leave to reapply, with exception of the request for the return of the filing fee and their claim for an order of possession, which are both dismissed without leave to reapply.

Conclusion

The Tenants' application is dismissed without leave to reapply, with exception of their monetary claim, which is dismissed with leave to reapply.

The Landlords' application is dismissed with leave to reapply, with exception of their claim for an order of possession and return of the filing fee, which 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 Act.

Dated: January 4, 2024

Residential Tenancy Branch