



DECISION

Introduction

The Tenant seeks the following relief under the *Residential Tenancy Act* (the “Act”):

- an order pursuant to s. 49 cancelling a Two-Month Notice to End Tenancy for Landlord’s Use of the Property; and
- return of the filing fee pursuant to s. 72.

At the reconvened hearing, E.R. attended as the Tenant and was represented by counsel, E.L.. K.L. attended as the Landlord.

Preliminary Issue – Severing the Joined Applications

This matter was joined with three separate applications, filed by different tenants, all of whom received their own Two-Month Notice to End Tenancy. It was scheduled for hearing on January 22, 2024 but was adjourned due to their being insufficient time to complete the hearing.

At the reconvened hearing, I was advised that three of the tenants had settled their claims with the Landlord. One of the tenants had not.

Accepting this, I find that it is administratively prudent to separate the applications to ensure that each party has their own separate decision pertaining to their matter. This ensures there are no issues with breach of confidentiality.

As such, I order that the four applications be severed from each other.

Adjournment

At the reconvened hearing, I was advised that the parties had come close to agreeing to settle the issue in dispute, though some issues remained to be finalized. As I was told, settlement correspondence was being exchanged up to the very morning of the hearing.

The matter of settlement was discussed before me, though the remaining issues were not resolved. I proposed to the parties that the matter be adjourned to permit more time to digest the settlement proposals. The parties consented to doing so.

Given this, I adjourn this matter to a date and time to be set by the Residential Tenancy Branch.

I encourage the parties to address the issues in front of each other pragmatically. I further encourage the Landlord to seek the advice of legal counsel.

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: March 1, 2024

Residential Tenancy Branch