



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Municipal Affairs

A matter regarding TANTALUS LODGE RESORT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-4M (X3), FF (X3)
OLC (X1)

Introduction and Preliminary Matters

This hearing dealt with 3 joined Tenant Applications for Dispute Resolution (joiner applications) under the *Residential Tenancy Act* (Act) each seeking to cancel a Four Month Notice to End Tenancy for Demolition or Conversion of a Rental Unit (Four Month Notice), issued by the Landlord and served on the Tenants of 3 units in the same residential property.

All Tenants requested recovery of the filing fee and the Tenants in the file ending in 255 request an order requiring the landlord to comply with the Act, regulations, or tenancy agreement.

Those listed on the cover page of this decision attended the hearing and were affirmed. Words utilizing the singular shall also include the plural and vice versa where the context requires.

The three rental units were all served the Four Month Notice by the Landlord's agent, the property manager, who indicated they represented the three owners of the individual units, and they all listed the same reason for ending the tenancies.

The evidence indicated that the Landlords through their agent requested to withdraw the respective Four Month Notices, all dated February 28, 2025.

At the hearing, the agent confirmed that the Landlords want to withdraw the respective Four Month Notices.

All Tenants confirmed they agreed to have the respective Four Month Notices be withdrawn.

Facts and Analysis

Due to the above, I find by mutual agreement of the parties, the respective Four Month Notices all dated February 28, 2025, with an effective vacate date of June 30, 2025 for the files ending in 535 and 995, and an effective date of July 31, 2025 in the file ending in 255, all for the same reason, are withdrawn.

As a result, I find it was no longer necessary to consider the Tenants' applications, as the matters are moot.

In the file ending in 255, the Tenants additionally requested an order requiring the Landlord to comply with the Act, regulations, or tenancy agreement. I have read the request of the Applicants, which amounts to a statement that they did not believe the current management company has proper licencing.

I find this is not a request for an order for compliance, rather this is a matter the Tenants may challenge in future disputes, if necessary. Further, the Tenant was informed that I am unable to prevent a landlord from issuing Notices to end the tenancy in the future, should the occasion arise. For this reason, I dismiss the Tenants' application in the file ending in 255 for an order requiring the landlord to comply with the Act, regulations, or tenancy agreement, without leave to reapply.

Although the matters in the Tenants' respective applications are now moot, as the Four Month Notices are withdrawn, I find the Tenants were required to pay a filing fee for dispute resolution in order to preserve their tenancies.

For this reason, pursuant to sections 62(3) and 72 of the Act, I grant the Tenants recovery of their respective \$100 filing fees. **I authorize** the Tenants in each of the three applications a one-time rent reduction in the amount of **\$100** from a future month's rent in full satisfaction of the recovery of the cost of the filing fee. The Tenants should inform the Landlord when making this deduction so that the Landlord has no grounds to serve a 10 Day Notice in that event.

Conclusion

The Four Month Notices in the joined applications, all dated February 28, 2025, are withdrawn.

The tenancies continue until they may otherwise end legally under the Act.

The Tenants' request for an order requiring the landlord to comply with the Act, regulations, or tenancy agreement in the file ending in 255 is dismissed, without leave to reapply.

The Tenants are awarded recovery of their respective filing fees, to be dealt with by a one-time rent reduction of \$100.

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: April 25, 2025

Residential Tenancy Branch