



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPT; RPP

Introduction

This is the Tenant's application for an Order of Possession and an Order that the Landlords return the Tenant's personal property.

The parties gave affirmed testimony at the Hearing.

It was determined that the Tenant mailed the Notice of Hearing documents to the Landlords on February 28, 2015, by registered mail. A copy of the registered mail receipt and tracking number was provided in evidence. The Landlords stated that they delivered copies of their documentary evidence to the Tenant on March 10, 2015, by leaving the documents with the Tenant. The Tenant stated that he did not receive any of the Landlords' documentary evidence.

Preliminary Matters

The Tenant's Application for Dispute Resolution was corrected to reflect the correct spelling of the female Landlord's first and second names and the Landlords' correct address for service.

The Tenant acknowledged that the rental property was ordered to be vacated by the City and therefore he withdrew his application for an Order of Possession.

On his Application for Dispute Resolution, the Tenant requested a monetary order, but he did not indicate the reason(s) for such a request on his Application and therefore I found that it was not complete. **The Tenant is at liberty to apply for a monetary order** if he so chooses.

The only issue left to determine is whether or not the Landlord should be ordered to return the Tenant's personal property.

The Tenant stated that the Landlords and the City official came to the rental property and gave the occupants only 20 minutes to vacate the rental property. He stated that he had to leave some belongings at the rental unit and he wants them returned to him.

The Landlords stated that the Tenant's belongings were left in a shed for him to pick up. They testified that they had disposed of a love seat already, but that the Tenant could pick up the remaining articles. The Landlords stated that they did not make a list of the Tenant's possessions, but that they know an oak chest and a couch are in the shed.

The Landlords asked the Tenant to contact their agent at least 24 hours before he wishes to pick up his belongings. The Landlords provided a telephone number for their agent during the Hearing.

During the Hearing, I ordered that the Landlords must provide the Tenant with access to the shed by 6:00 p.m., April 1, 2015, so that he can collect his personal possessions.

During the Hearing, I made a finding that the Landlords received the Tenant's forwarding address on March 18, 2015, which is the address for the Tenant's advocate.

Conclusion

I order the Landlords to provide the Tenant with access to the shed at the rental property by 6:00 p.m. April 1, 2015, so that he can pick up his remaining possessions.

For the purposes of Section 38 of the Act, I find that the Landlords received the Tenant's forwarding address on March 18, 2015.

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 10, 2015

Residential Tenancy Branch

