



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI, CNR, MNR, MNDC, RR, FF

Introduction

This hearing was convened by conference call in response to an Application for Dispute Resolution (the “Application”) made by the Tenants on August 19, 2015 for the following reasons:

- to dispute an additional rent increase;
- to cancel a notice to end tenancy for unpaid rent and utilities;
- for the cost of emergency repairs;
- for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the “Act”), regulation or tenancy agreement.
- to allow the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided.
- to recover the filing fee from the Landlord.

Both parties appeared for the hearing. The Landlord confirmed receipt of the Tenant’s Application and their evidence prior to the hearing by personal service. However, the Tenants denied receipt of the Landlord’s documentary and photographic evidence.

The parties confirmed that the tenancy had ended since the time of making the Application. However, the Landlord explained that he was unable to serve the Tenants with his evidence prior to the hearing because the Tenants had not provided him with a forwarding address. The Landlord explained that his evidence was essential to rebut the Tenants’ claim. The Landlord also explained that he had a potential monetary claim against the Tenants but that he was unable to make the claim as he did not have the Tenants’ forwarding address.

The Tenants confirmed that the only aspect of their Application left to be dealt with was their monetary claim. The Tenants confirmed that they had not provided the Landlord with a forwarding address as they were still pursuing other remedies and working with other agencies in relation to their claim.

The Landlord requested the Tenants' forwarding address during the hearing, but the Tenants were not willing to provide this and agreed that they would refile their monetary claim at their discretion at which point the Landlord will be provided with their new address for the service of documents. Therefore, I dismissed the Tenants' Application but provided **leave** to re-apply for their monetary claim. The parties were agreeable to this course of action. This file is now closed.

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: October 15, 2015

Residential Tenancy Branch

