



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing

DECISION

Introduction

This hearing dealt with five applications pursuant to the *Residential Tenancy Act* (the “Act”).

Two applications of tenants JSW and MW’s against landlord WP to:

- the cancellation of two Two Month Notice to End Tenancy for Landlord’s Use of Property (the JSW/MW Notices) pursuant to section 49.
- authorization to recover the filing fee for both applications from WP pursuant to section 72.

Tenant MP’s application against landlord WP for:

- the cancellation of the Two Month Notice to End Tenancy for Landlord’s Use of Property (the MP Notice) pursuant to section 49.

Tenant CS’s application against landlords WP, GD, and TD for:

- the cancellation of a Two Month Notice to End Tenancy for Landlord’s Use of Property and a Four Month Notice to End Tenancy for Demolition (the CS Notices) pursuant to section 49;
- an order requiring the landlords to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement in the amount of \$1,234.56 pursuant to section 67; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Tenant MF’s application against landlord WP for:

- the cancellation of a Two Month Notice to End Tenancy for Landlord’s Use of Property (the MF Notice) pursuant to section 49; and
- an order to suspend or set conditions on landlord WP’s right to enter the rental unit pursuant to section 70.

Tenant JSW and MW’s applications were reconvened from a prior hearing on March 10, 2023 following which I issued an interim decision joining those applications with the applications of the other tenants. This decision should be read in conjunction with that decision.

At the outset of this hearing, MW advised me that MF had moved from his rental unit pursuant to a settlement agreement with WP.

Additionally, all attendees confirmed that the sale of the residential property which caused WP to issue the above-mentioned notices to end tenancy (collectively, the Notices), had fallen through. As such, WP stated that he wanted to rescind the Notices and allow the tenancies to continue.

The tenants agreed that the Notices could be cancelled. Additionally, they demanded WP reimburse them their filing fees. They agreed that, if WP did this, their applications could be dispensed with. WP agreed to this.

Accordingly, and with the consent of the parties, I order that the Notices are cancelled and of no force or effect. I order that WP pay CS \$100. I order that WP pay JSW and MW \$200. I dismiss the balance of the tenants' applications, 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 *Residential Tenancy Act*.

Dated: April 25, 2023

Residential Tenancy Branch