

Residential Tenancies Tribunal

Application 2024-1049-NL

Seren Cahill
Adjudicator

Introduction

1. Hearing was held on 13-December-2024 at 9:01 am.
2. The applicant, [REDACTED], hereinafter referred to as the tenant, attended via teleconference.
3. The respondent, [REDACTED], hereinafter referred to as the landlord, also attended via teleconference.

Preliminary Matters

4. The landlord acknowledged that they had been served notice of the hearing more than 10 days before the hearing date.
5. The tenant claimed for compensation for inconvenience suffered and the return of possessions. The tenant testified that the landlord had possession of several items that were his personal property. The landlord did not dispute this but disputed the tenant's valuation of these items. The landlord testified that he retained all items belonging to the tenant. The tenant did not believe this.
6. In reviewing the tenant's application, I concluded that based on the submissions of the parties, attempting to make a final ruling on these issues would be premature and would risk resulting in an outcome contrary to the purpose of the *Residential Tenancies Act*, 2018 (the *Act*). I questioned if the parties would be willing to reach an agreement on a date and time for the tenant to retrieve his possessions from the landlord's property. The tenant would then be able to continue this application regarding the missing possessions, if any. They attempted to do so but were unable to find a mutually satisfactory solution.
7. Exercising my discretion, I elected to issue an oral interim order s. 47 of the *Act*. A written copy of that order has been attached to this decision. It should be understood that this order is issued without prejudice to any final determinations of the issues of the originating application.

8. In accordance with Policy 12-001, a costs award may be made against a party which engages in unreasonable conduct by refusing to comply with this order.

Legislation and Policy

9. The jurisdiction of the Director of Residential Tenancies is outlined in sections 46 and 47 of the *Act*.

Decision

10. An interim order has been issued. No final determination has been made as to the tenant's claims.

27-December-2024

Date


Seren Cahill
Residential Tenancies Office