

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession, and a Monetary Order for unpaid rent, to recover the filing fee, and to retain the security deposit.

Service of the hearing documents, by the male landlord, was done in accordance with section 89 of the *Act*, delivered in person to the tenant on March 17, 2009 at approximately 5:30 p.m. at the rental unit.

Both landlords appeared, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

The tenant did not appear despite being served the hearing documents.

Issues(s) to be Decided

The issues to be decided based on the testimony and the evidence are:

- Whether the landlord is entitled to an Order of Possession under Section 55 of the *Act* for unpaid rent
- Whether the landlord is entitled to a Monetary Order under section 67 of the *Act* for unpaid rent and to recover the filing fee

Background and Evidence

The tenancy began on September 15, 2008, is a month to month tenancy with rent of \$775.00 payable on the first of each month. The tenant paid a \$300.00 security deposit at the beginning of the tenancy.

The landlord's have testified that the tenant has paid the March 2009 rent in full and currently owes \$50.00 towards April 2009 rent. The female landlord testified that they have come to an agreement with the tenant, that if she pays the balance owing of \$50.00 on April 17, 2009, and behaves appropriately towards both landlords, that they will work out payment arrangements with the tenant in an effort to continue the tenancy.

The landlords confirmed that they have reinstated the tenancy and are withdrawing this application.

Analysis

As the landlords have withdrawn their application, I am dismissing this application without leave to reapply.

Conclusion

I hereby dismiss this application 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 15, 2009.

Dispute Resolution Officer