

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution for an order of possession and a monetary order.

The hearing was conducted via teleconference and was attending by the landlord only. The tenant did not attend.

At the outset of the hearing the landlord stated that the tenant had not been seen since February 16, 2010 when he told the building caretaker that he was going out of the country. When the tenant's rent cheques were returned as insufficient funds the landlord issued the notice to end the tenancy and posted it on the door.

The landlord attempted a few times since then to contact the tenant but did not enter the rental unit until June 2, 2010 when the registered mail containing the evidence for this hearing was returned as unclaimed. The landlord found the rental unit empty.

The landlord further stated he did not know where the tenant was, that he no longer needed an order of possession and that he wanted to withdraw his application until such time as he can adequately serve the tenant.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; for all or part of the security deposit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to sections 38, 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

Conclusion

I accept the landlord's withdrawal of his application and grant leave to reapply should he locate the tenant.

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: June 11, 2010.

Dispute Resolution Officer