DECISION

<u>Dispute Codes</u>   OPT

<u>Introduction</u>

This hearing dealt with an application by the Tenants for an Order of Possession.   The hearing started on April 27, 2010, however it was adjourned to today's date at the request of one of the Tenants so that he could get the assistance of an advocate.

<u>Issues(s) to be Decided</u>

1. Are the Tenants entitled to an Order of Possession?

<u>Background and Evidence</u>

The Parties agree as follows:

- One of the Tenants (M.W.) resided in the rental property in suite 2102 for approximately 10 years.
- On March 5, 2010, M.W. completed an Application for Tenancy for another suite in the rental property (suite #1901) and gave the Landlords a deposit of $450.00.
- M.W. had a tenancy agreement for suite 2102 however the Tenants did not enter into a tenancy agreement for the rental unit (unit #1901).
- The Landlords told the Tenant (M.W.) that they could not approve his application until he provided further information about his proposed roommate (M.B.).
- On March 13, 2010, the M.W. approached the Landlord's building manager, advised her that he would not be taking unit #1901 and requested that the Landlords return his deposit which they did on March 15, 2010.
- M.W. also asked the Landlords for a reference as he said he was planning on moving so the Landlords gave him one.
- The Landlords rented suite 2102 to other tenants on March 21, 2010.
- On March 22, 2010, M.W. approached the building manager again and said he changed his mind and still wanted suite #1901.

At the beginning of the reconvened hearing, the Tenants said they moved out of the rental property on June 2, 2010 because they could only afford a one bedroom suite and one was not available in the rental property. Therefore the Tenants withdrew their application for an Order of Possession.

<u>Conclusion</u>

The Tenants' application is withdrawn. 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 14, 2010.

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Dispute Resolution Officer