



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, MND, MNDC, MNSD, FF

Introduction / Background / Evidence

This hearing concerned the landlord's application for a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / compensation for damage or loss under the Act, Regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee. While the landlord attended the hearing, the tenant was not present.

On the tenant's behalf, a Case Manager ("SL") from the Office of the Public Guardian and Trustee of British Columbia (the "Trustee") corresponded with the landlord by letter dated May 15, 2012. A copy of the letter was provided to the Residential Tenancy Branch by the Trustee. At the time of the hearing, the landlord had not yet received the letter; accordingly, I faxed a copy to him and he subsequently confirmed receipt.

In the letter, the Case Manager informs the landlord that there is no dispute around the claim for compensation filed by the landlord, and that [the Trustee] is "prepared to pay the \$5,385.02 that you have requested." The Case Manager further writes that receipt of funds from the sale of the tenant's property should be in the hands of the Trustee "around June 1st." Finally, the Case Manager states in the letter as follows:

We will not be participating in the dispute resolution meeting that is set up for May 17th at 1:30 p.m. We do not see that the hearing is of any benefit to [the tenant] as there is not any dispute other than when the payment will be made to you.

In view of the above information the landlord presently withdrew his application, pending settlement of his claim with the Trustee acting on the tenant's behalf.

Conclusion

Following from all of the above, the landlord's application is hereby dismissed with 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: May 17, 2012.

Residential Tenancy Branch