



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Landlords: MND, MNSD, MNDC, FF
 Tenants: MNSD, FF

Introduction

This hearing dealt with cross Applications for Dispute Resolution with both parties seeking a monetary order.

The hearing was conducted via teleconference and was attended by the landlord only.

The landlord testified that the parties had reached a settlement on these matters and that she had faxed a copy of a signed document confirming this settlement to the Residential Tenancy Branch (RTB). I had not received this in the file at the time of this hearing.

As a result, I accept the landlord's withdrawal of her Application for Dispute Resolution. While the landlord testified the matters were resolved, I cannot allow a withdrawal of the tenant's Application, as they did not attend the hearing, the conference call was held open for 10 minutes to allow the tenants to call in to the hearing.

Issue(s) to be Decided

It must be decided if the tenants are entitled to return of the security deposit and to recover the filing fee from the landlords for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 67, and 72 of the *Residential Tenancy Act (Act)*.

Conclusion

In the absence of the Applicant tenants, I dismiss their Application in its entirety 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: September 28, 2012.

Residential Tenancy Branch