



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, FF

Introduction

This is the Landlords' application for a Monetary Order for unpaid rent; and to recover the cost of the filing fee from the Tenants.

The Landlord's agent gave affirmed testimony at the Hearing.

Preliminary Matters

The Landlord's agent testified that the Tenants are still living in the rental unit and that the Notice of Hearing documents were personally served upon the Tenants at the rental unit on June 27, 2012. The Tenants did not sign into the teleconference, which remained open for 20 minutes.

The Landlord's agent stated that he could not provide complete details with respect to the Landlord's application for unpaid rent as he did not have access to the tenancy files because they had been removed pending an RCMP investigation. He asked to withdraw the Landlord's application and to be given leave to reapply.

As neither of the Tenants attended the teleconference, I find that there is no prejudice in allowing the Landlord's application to withdraw the Application. The Landlord is at liberty to reapply, should it choose to do so.

Conclusion

The Landlord's application is withdrawn. **The Landlord is at liberty to reapply.** This does not extend any existing time limits that may apply.

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 10, 2012.

Residential Tenancy Branch