

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction:

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, and to recover the fee for filing an Application for Dispute Resolution.

Issue(s) to be Decided:

Is the Landlord entitled to an Order of Possession for unpaid rent and to a monetary Order for unpaid rent?

Background and Evidence:

When the Landlord was asked how the Application for Dispute Resolution and Notice of Hearing were served to the Tenant he replied that it was a moot point, as the Tenant had vacated the rental unit. He was asked if he wished to withdraw his Application for Dispute Resolution and he replied that he just wanted to know how to get the money that was owed to him.

On two occasions the Landlord was advised that if he wished to proceed with the hearing on this date he would have to establish that the Tenant had been served with the Application for Dispute Resolution and Notice of Hearing. He again stated that it was a moot point, as the Tenant has vacated the rental unit and that he just wanted to know how to get the money that was owed to him.

The Landlord was advised that he had the option of withdrawing the Application for Dispute Resolution or proceeding with the hearing today to determine if money was owed, in which case he would have to establish that the Tenant had been served with the Application for Dispute Resolution and Notice of Hearing. At this point the Landlord became verbally abusive and he exited from the teleconference.

Analysis

On the basis of the Landlord's actions, I find that he has withdrawn his Application for Dispute Resolution.

Conclusion

As I have not made any findings of fact or law with respect to the application, the Landlord has the right 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 11, 2013

Residential Tenancy Branch