



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW HEARING DECISION

Dispute Codes ET

Preliminary Matter

The parties requested to amend the tenant's first name to the correct spelling. As a result, the first name of the tenant has been amended in the landlord's application to reflect the correct spelling of the tenant's first name.

Introduction and Analysis

This hearing dealt with a Review Hearing of the landlord's original Application for Dispute Resolution, seeking to end the tenancy early and obtain an order of possession, and to recover the filing fee.

On November 08, 2013, an Arbitrator issued a Decision granting the landlord an order of possession and monetary order against the tenant in the amount of \$50.00. The tenant did not attend the hearing, and applied for a Review of the November 08, 2013 decision and orders, citing that they were unable to attend the hearing.

On November 19, 2013 an Arbitrator suspended the November 08, 2013 decision and orders pending the outcome of a Review Hearing held on this date, December 18, 2013.

The landlord and the tenant attended the Review Hearing scheduled for this date. At the outset of the hearing, the landlord confirmed that he did not serve the tenant with his evidence and requested to withdraw his application in full as a result, which the tenant did not dispute. As a result, the landlord was permitted to withdraw his Application in full and is at **liberty to reapply**. I note that by the landlord withdrawing his application does not extend any applicable time limits under the *Act*.

Given the above, I **set aside** the Decision, Order of Possession, and Monetary Order dated November 08, 2013 as the landlord has withdrawn his application in full. The landlord is at liberty to re-apply under the *Act*.

Conclusion

The landlord has withdrawn his application in full and is at liberty to re-apply.

The Decision, Order of Possession, and Monetary Order dated November 08, 2013 have been **set aside** and are of **no force or effect** as a result.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: December 18, 2013

Residential Tenancy Branch

