



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OP, MNR

Introduction

This matter proceeded by way of an *ex parte* Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the “Act”), and dealt with an Application for Dispute Resolution by the landlords for an Order of Possession based on unpaid rent and a monetary Order. The landlords submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on January 20, 2014, the landlords handed the tenant the Notice of Direct Request Proceedings. Based on the written submissions of the landlords, I find that the tenant has been served with the Direct Request Proceeding documents on January 20, 2014, as declared by the landlords.

In reviewing the landlords’ Proof of Service document entered into written evidence by the landlords, I note that the female landlord checked the box indicating that “this matter was resolved and I wish to cancel the application.” She signed this document immediately below this statement. A representative of the Residential Tenancy Branch (the RTB) attempted to contact the landlords at two telephone numbers they provided with their application. Her purpose in calling was to clarify whether the landlords truly intended to cancel their application as state in their Proof of Service document. She was unable to speak to anyone at either of the landlords’ phone numbers. The voice mail for one of the landlords’ phone numbers was full. The RTB staff member left a voice mail message for the landlords on the landlords’ other phone number. As the RTB received no response to these voice mail messages, I have proceeded to consider the landlords’ application on the basis of their written evidence, which includes the female landlord’s declaration that this matter has been resolved and the landlords wished to cancel the application.

I find that the female landlord has cancelled the landlords’ application. The landlords’ application is hereby cancelled as per the female landlord’s written instructions.

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: January 29, 2014

Residential Tenancy Branch

