



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Remax Kelowna Property Management  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNSD  
                         OPC, MNSD, MNDC, FF

### Introduction

This hearing was convened by way of conference call concerning applications filed by a landlord company as against 2 tenants, and by a tenant as against a named landlord. The landlord's application seeks an Order of Possession for cause; a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenants for the cost of the application. The tenant has applied for a monetary order for return of all or part of the pet damage deposit or security deposit.

No one for the named landlord or the landlord company attended the hearing, however an interested party identified herself as the owner of the rental property and made it clear that she did not represent any of the parties. One of the tenants also attended.

The hearing did not conclude on its first day, and was adjourned to a day and time for a continuation. At that time, none of the parties attended. The interested party who had identified herself as the owner of the property attended and advised that during the recess a settlement was reached and that the tenant had provided to the Residential Tenancy Branch and to the interested party a letter withdrawing the tenant's claim. To date, I have not received that document.

Since the parties have failed to return to the hearing to continue with the evidence and testimony, I hereby dismiss both applications without leave to reapply.

Conclusion

For the reasons set out above, the landlord's application is hereby dismissed without leave to reapply.

The tenant's application is hereby dismissed 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: October 8, 2014

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Residential Tenancy Branch

