



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF, O

Introduction

On December 19, 2014, the tenant was granted a monetary order for compensation under the Act.

On January 26, 2015, the landlords' made an application for review consideration, which was granted on the basis that they were unable to attend at the original hearing because of circumstances that could not be anticipated and were beyond their control.

The Arbitrator ordered the parties to participate in a new hearing, and the original decision and order was suspended. The Arbitrator at the new hearing may confirm, vary, or set aside the original decision and order.

This new hearing dealt with an Application for Dispute Resolution by the tenant filed under the Residential Tenancy Act, (the "Act"), for a monetary order for money owed or compensation for damage or loss under the Act and to recover the filing fee from the landlords.

Both parties appeared.

Issue to be Decided

Is the tenant entitled to a monetary order for compensation under the Act?

Background and Evidence

At the outset of the hearing the tenant indicated that he is no longer continuing with their application and are providing no evidence.

The parties mutually requested that the original decision and order made on December 19, 2014, be set aside.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

As the tenant is no longer continuing with their application for dispute resolution and the onus is on the tenant to prove a violation of the Act by the landlords, I find it appropriate in this case to dismiss the tenant's application.

I further grant the parties request to set aside the original decision and order. Therefore, I order that the original decision and order made on December 19, 2014, are set aside and have no force or effect.

Conclusion

The original decision and order made on December 19, 2014, are set aside and have no force or effect.

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: March 02, 2015

Residential Tenancy Branch

