



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- a monetary order for unpaid rent, for damage to the rental unit, and for money owed or compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement, pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested, pursuant to section 38; and
- authorization to recover the filing fee for this application from the tenant, pursuant to section 72.

The tenant did not attend this hearing, which lasted approximately 28 minutes. The landlord ("landlord") and his agent, MR ("landlord's agent"), attended the hearing and were each given a full opportunity to be heard, to present sworn testimony, to make submissions, and to call witnesses.

The landlord's agent confirmed that he was the property owner and the landlord named on the tenancy agreement and that his father, the landlord named in this application, had made this application on his behalf as an agent.

During the hearing, the landlord and his agent testified that they wished to withdraw the landlord's application, as they did not serve the most recent application amended on July 6, 2015, upon the tenant. The amended application sought a total monetary order of \$3,587.80, including the \$50.00 filing fee, from the tenant. Accordingly, the landlord's application is withdrawn.

As the landlord withdrew his application, he is not entitled to recover the \$50.00 filing fee for this application. The landlord must bear the cost of this filing fee.

Conclusion

The landlord's application to recover the \$50.00 filing fee is dismissed without leave to reapply. The remainder of the landlord's application is withdrawn.

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: July 21, 2015

Residential Tenancy Branch

