



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding COLUMBIA PROPERTY MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, MNSD, FF

Introduction

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

- an Order of Possession for unpaid rent, pursuant to section 55;
- a monetary order for unpaid rent 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 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 17 minutes. The landlord's agent, KP ("landlord") attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

At the outset of the hearing, the landlord testified that the tenant had already vacated the rental unit, so the landlord did not require an order of possession. The landlord further testified that she wished to withdraw the landlord's entire application at this hearing, as she was unable to prove service by way of documentary evidence regarding how the tenant's forwarding address was obtained. She confirmed that the landlord had applied to recover October 2015 rent, the subject of this application, at a future hearing on June 14, 2015, the file number of which appears on the front page of this decision. The landlord confirmed that she would make her submissions regarding this application at the future hearing, since the landlord already applied for the same relief.

I advised the landlord that as she did not proceed with this hearing, she was not entitled to recover the \$50.00 filing fee paid for this application. The landlord confirmed that she understood this information.

Conclusion

The landlord's application for a monetary order for unpaid rent and for money owed or compensation for damage or loss under the *Act*, *Regulation* or tenancy agreement, and authorization to retain the tenant's security deposit in partial satisfaction of the monetary order requested, is withdrawn.

The landlord's application for an order of possession and to recover the \$50.00 filing fee is 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: December 18, 2015

Residential Tenancy Branch

