



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OLC, RP, MNDC, ERP, LRE, RR, FF

Introduction:

This hearing was convened in response to an Application for Dispute Resolution filed by the Tenants in which the Tenants applied:

- for a monetary Order for money owed or compensation for damage or loss;
- to recover the fee for filing this Application for Dispute Resolution;
- for an Order requiring the Landlord to comply with the tenancy agreement and/or the *Residential Tenancy Act (Act)*;
- for an Order requiring the Landlord to make repairs to the rental unit;
- for an Order suspending or setting conditions on the Landlord's right to enter the rental unit; and
- for authority to reduce the rent.

The female Tenant stated that on October 14, 2015 the Application for Dispute Resolution and the Notice of Hearing were sent to the Landlord, via registered mail. The Agent for the Landlord acknowledged that these documents were received by the Landlord, via registered mail. On the basis of the undisputed evidence, I find that these documents have been served in accordance with section 89 of the *Residential Tenancy Act (Act)*.

Both parties were represented at the hearing.

The female Tenant stated that on September 02, 2015 an affidavit, dated September 02, 2015, was personally served to the Landlord. The Agent for the Landlord stated that the affidavit was received with the Application for Dispute Resolution and the Notice of Hearing. I find that this document has been sufficiently served to the Landlord, pursuant to section 71(2) of the *Act*.

Issue(s) to be Decided:

Is the Tenant entitled to a monetary Order and/or a rent reduction?

Is there a need to issue an Order requiring the Landlord to make repairs and/or to comply with the *Act* and/or the tenancy agreement?

Is there a need to suspend or set conditions on the Landlord's right to enter the rental unit?

Background and Evidence:

The female Tenant stated that on December 11, 2015 the Tenants submitted a USB device to the Residential Tenancy Branch, which contained evidence the Tenants believe is highly relevant to their claims.

The Tenants were advised that I did not have access to the USB device, in large part, because they were submitted to the Residential Tenancy Branch one business day prior to the hearing.

The Tenants were advised that the USB device would not be accepted as evidence for these proceedings, in part, because I did not have the ability to view the digital evidence during the hearing and, in part, because the evidence was not submitted to the Residential Tenancy Branch in accordance with timelines established by rule 3.14 of the Residential Tenancy Branch Rules of Procedure.

Upon being advised that the USB device would not be considered during these proceedings, the Tenants opted to withdraw their Application for Dispute Resolution.

Analysis:

The Tenants opted to withdraw their Application for Dispute Resolution and the hearing did not proceed.

Conclusion:

The Application for Dispute Resolution has been withdrawn. The Tenants retain the right to file another Application for Dispute Resolution for these matters.

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 14, 2015

Residential Tenancy Branch

