



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, MNDC, FF, O

Introduction

No hearing was held today. The landlord originally requested an adjournment of this hearing as he has a summons to attend a default hearing at the Provincial Court of British Columbia regarding a previous consent order made at a payment hearing held on August 10, 2016. The payment hearing was in connection with a Monetary Order issued to the tenants and served upon the landlord after a hearing was held between the parties for the tenants' application on April 29, 2016.

The tenant submitted that at the payment hearing the landlord agreed to cancel his application for today's hearing with the judge who presided over that hearing. The landlord failed to cancel his application prior to the hearing today. The tenant referred to the Order from Provincial Court provided in documentary evidence which states the Monetary provision of that order and that the landlord will cancel the Residential Tenancy claim of October, 2016.

In light of this information the landlord agreed to withdraw his application for today's hearing and will seek legal advice as to how to proceed. The tenants will also seek legal advice.

Conclusion

The landlord's application has been withdrawn.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: October 18, 2016

Residential Tenancy Branch