



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR, CNR

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant(s), and one brought by the landlord(s). Both files were heard together.

The landlords application is a request for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, and the tenants application is a request to cancel a Notice to End Tenancy for nonpayment of rent.

All testimony was taken under affirmation.

At the beginning of the conference call the tenant stated that she has not serve the landlord with her application for dispute resolution, and therefore the tenants application will be dismissed.

Issue(s) to be Decided

The issues on the landlord's application were a request for an Order of Possession, and a request for a monetary order for outstanding rent and utilities.

Background and Evidence

During the conference call the landlord stated that they already have possession of the rental unit, as the tenant vacated the unit on April 10, 2017, and they have decided to abandon their monetary claim against the tenant.

Conclusion

The landlords no longer require an Order of Possession, as they already have possession of the rental unit.

The landlords have abandoned their monetary claim against the respondent.

The tenant's application has been dismissed, without leave to reapply, for failing to serve the notice of hearing on the landlords.

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: May 16, 2017

Residential Tenancy Branch