



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, MNDC, MNSD, OLC, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for landlord's use of property; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for a monetary order for return of all or part of the pet damage deposit or security deposit; for an order that the landlords comply with the *Act*, regulation or tenancy agreement; and to recover the filing fee from the landlords for the cost of the application.

The tenant attended the hearing and gave affirmed testimony, however the line remained open while the phone system was monitored for 10 minutes prior to hearing any testimony, and no one for the landlords attended the call.

The tenant advised that he vacated the rental unit on June 1, 2017 and withdraws the application for an order cancelling a notice to end the tenancy for landlord's use of property.

The tenant also testified that he personally handed the hearing packages to a person at the realty office addressed to each of the landlords on May 24, 2017. The *Residential Tenancy Act* does not permit service of hearing documents by handing them to another person where the application seeks a monetary order. Therefore, I dismiss the balance of the tenant's application with leave to reapply.

Conclusion

For the reasons set out above, the tenant's application for an order cancelling a notice to end the tenancy for landlord's use of property is withdrawn.

The balance of the tenant's application is hereby dismissed with 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: July 05, 2017

Residential Tenancy Branch