



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT, OLC, FF

Introduction

On June 19, 2017, the Tenants submitted an Application for Dispute Resolution seeking an order of possession of the rental unit and asking for the Landlord to comply with the Residential Tenancy Act ("the Act"), Regulation, or tenancy agreement.

The matter was set for a conference call hearing. Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence, orally and in written and documentary form, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Procedural and Preliminary Issues

The Tenant Ms. M.H. attended the hearing near the end of the proceedings at 11:53 am. She testified that the relationship with the Landlord is damaged and they are not willing to stay. She testified that the Tenants are withdrawing their request for an order of possession. She testified that they are only seeking to recover the cost of the filing fee.

Since the Tenants have withdrawn their request for an order of possession, I find there are other no other issues before me in dispute.

Section 72 of the *Act* gives me authority to order the repayment of a fee for an application for dispute resolution. As the Tenants withdrew their request, I have made no findings of a breach of the Act, Regulation, or tenancy agreement on the Landlord's part. I dismiss the Tenants' request to recover the cost of the application fee.

The Tenant's Application for an order of possession of the rental unit and for the Landlords to comply with the Residential Tenancy Act ("the Act"), Regulation, or tenancy agreement 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: July 07, 2017

Residential Tenancy Branch