



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC FF

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- a monetary order for compensation for damage or loss under the *Act*, regulation or tenancy agreement pursuant to section 67; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

While the tenant, YZ, attended the hearing by way of conference call, the landlord did not. I waited until 2:17 p.m. to enable the landlord to participate in this scheduled hearing for 2:00 p.m. The tenant, YZ, was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The tenant provided sworn, undisputed testimony that she had served the landlord with tenants' application for dispute resolution hearing package ("Application") and evidence by way of registered mail on March 6, 2017. A Canada Post tracking number was provided during the hearing. In accordance with sections 88, 89, and 90 of the *Act*, I find that the landlord was deemed served with the Application and evidence.

At the beginning of the hearing the tenant, YZ, indicated that after this application was filed, the landlord had returned to the tenants the \$2,200.00 that the tenants were applying for. As the landlord returned the \$2,200.00 indicated in the tenants' monetary application, the tenants withdrew their application.

The tenants requested that the landlord return the postdated rent cheques for February 2017 through to October 2017 as this tenancy has now ended. The tenants indicated that they had requested the landlord return these cheques, and the landlord failed to do so as of the hearing date. As this tenancy has now ended I make an order for the landlord to return all post-dated rent cheques to the tenant.

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: August 1, 2017

Residential Tenancy Branch