



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC MNR FF

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. A participatory hearing was held on June 14, 2018. The Landlord applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

Both parties attended the hearing. After confirming with both parties, I find the Landlords served the Notice of Hearing to the Tenant by registered mail. However, they did not include their evidence with this package. The Landlords stated that they later tried to confirm the Tenant's address via text message so they could mail evidence but the Tenant would not confirm this for them. As a result, the Landlord was unable to serve their evidence to the Tenant for this hearing. The Tenant also submitted their evidence late and did not provide sufficient proof of service.

After discussing the evidentiary service issues with both parties, I confirmed, and both parties consented to the Landlords withdrawing their application, in full. I hereby allow the withdrawal of the Landlord's application, and I grant the Landlord leave to reapply.

During the hearing, the Tenant confirmed that her mailing address is still the same address the Landlord listed on this application for review. The Tenant asked that any correspondence be sent to her at this address should there be any future proceedings. The Tenant expressed that she may want to file a cross application, if the Landlord re-applies.

I encourage both parties to consult the rules of procedure and serve evidence in accordance with the Act, should they wish to pursue any further applications. I make no findings on the merits of this application.

Conclusion

The landlord's application has been withdrawn in full. The landlord is at liberty to reapply; however, this decision does not extend any applicable time limits under the *Act*.

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: June 14, 2018

Residential Tenancy Branch