



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BIN YANG & SINCERE REAL ESTATE SERVICES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes LANDLORD: OPR, MNR, MNSD, FF
TENANT: CNR, ERP, FF, LRE, MNDC, MNR, OLC, PSF,

Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlords and the Tenants.

The Landlords filed seeking to end the tenancy and obtain an Order of Possession, for a monetary order for compensation for unpaid rent, to retain the Tenants' security deposit and to recover the filing fee for this proceeding.

The Tenant filed to cancel the Notice to End Tenancy for compensation for loss or damage under the Act, regulations and tenancy agreement, as well as a rent reduction due to the condition of the rental unit. Further the Tenant applied for emergency repairs, to restrict the Landlord's right of entry to the unit, for the Landlord to provide services and facilities agreed to in the tenancy agreement, for the Landlord to comply with the Act, regulations and tenancy agreement and to recover the filing fee for this proceeding.

At the start of the conference call the Landlord's agent said the Landlord and the Tenants settled the dispute prior to the hearing. Therefore the Landlord is withdrawing their application.

The Tenants did not attend the hearing, but there are audit notes that indicated the Tenants had phoned the Residential Tenancy Branch on September 17, 2018 to cancel the hearing because they had made a settlement agreement with the Landlord.

As the Tenants did not attend the hearing, I find their application is abandoned and as a result the application is dismissed without leave to reapply.

Conclusion

The Landlords' application is withdrawn.

The Tenants' application 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: October 23, 2018

Residential Tenancy Branch