



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDCT, MNSD

### Introduction

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

- a Monetary Order for the return of the security deposit, pursuant to sections 38 and 67; and
- a Monetary Order for damage or compensation under the *Act*, pursuant to section 67.

The landlord did not attend this hearing, although I left the teleconference hearing connection open until 1:43 p.m. in order to enable the landlord to call into this teleconference hearing scheduled for 1:30 p.m. The tenant and the tenant's advocate attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the tenant, the tenant's advocate, and I were the only ones who had called into this teleconference.

The tenant's advocate stated that the tenant was not prepared to proceed with the hearing and asked that the tenant's application be withdrawn.

I explained to the tenant and the tenant's advocate that withdrawing this application would conclude the hearing and the tenant's application would be dismissed with leave to re-apply. The tenant's advocate stated that she and the tenant understood this and wished to proceed with the withdrawal of the tenant's application.

Conclusion

The tenant withdrew her application. As no further action is required with respect to the application, I dismiss the tenant's application with leave to reapply.

I make no findings on the merits of the matter. Leave to reapply is not an extension of any applicable limitation period.

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: September 17, 2018

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Residential Tenancy Branch