



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MASHINCHI INVESTMENTS LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR FFT MNDCT MNRT RP RR MNRL

### Introduction

This hearing dealt with applications from both parties for compensation under the *Act*.

The landlord applied for:

- a Monetary Order pursuant to section 67 of the *Act*; and
- a return of the filing fee pursuant to section 72 of the *Act*.

The tenant applied for:

- a cancellation of the landlord's 10 Day Notice for unpaid rent pursuant to section 46 of the *Act*;
- reduced rent for repairs, services or facilities not provided;
- repairs to the unit, site or property;
- a Monetary Order pursuant to section 67 of the *Act*; and
- a return of the filing fee pursuant to section 72 of the *Act*.

Both parties attended the hearing with the tenant being represented by his lawyer, O.M. and the landlord being represented by agents A.D. and A.S.E.

Following opening remarks, the landlord confirmed the tenant had vacated the suite on October 31, 2018.

Both parties stated they wished to withdraw their applications. I explained to both parties that withdrawing their respective applications would conclude the hearing, and that this matter would be dismissed with leave to re-apply at a later date. Both parties stated they understood this and wished to proceed with the withdrawal of their respective applications.

Conclusion

The landlord's application for a monetary award is withdrawn with leave to reapply.

The tenant's application for a monetary award is withdrawn with leave to reapply.

Both parties must bear the cost of their individual filing fees.

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: December 4, 2018

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Residential Tenancy Branch