



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FFT, OPT

Introduction and Analysis

This hearing was convened as a result of the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* ("Act") to obtain an order of possession of the rental unit and for an order that the Landlord reimburse the Tenant for the filing fee for this hearing.

The Tenant, the Landlord, and an agent for the Landlord, T.W. ("Agent"), appeared at the teleconference hearing and all were affirmed at the start of the hearing. Neither party raised any concerns regarding the service of documentary evidence.

At the start of the hearing, the Tenant indicated that she withdrew her application for an order of possession and that she sought a monetary order against the Landlord. I explained to the Parties that the hearing was limited to the issues set out in the application, which meant that I could not hear evidence about another matter. This is consistent with Rule 2.3 of the Residential Tenancy Branch Rules of Procedure (the "Rules").

I am authorized to consider only the Tenant's request for an order of possession of the unit and the Tenant's application to recover the cost of the filing fee at this proceeding. The Tenant made it clear in the hearing that she was no longer seeking an order of possession of the Rental Unit, so I dismiss the application. The Parties are at liberty to reapply with a different application within the limitations set forth in the *Act* and Rules.

I do not grant the filing fee, as the Tenant withdrew her application for an order of possession.

Conclusion

The Tenant withdrew her application for an order of possession, and with no cross application, I dismiss the application, with the Parties at liberty to reapply.

This decision is final and binding on the Parties, unless otherwise provided under the *Act*, and 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 17, 2018

Residential Tenancy Branch