



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDCT, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants filed under the Residential Tenancy Act, (the “*Act*”) to recover their security deposit, for an order for compensation due under the *Act*, and to recover their filing fee for this application. The matter was set for a conference call.

The Tenants attended the hearing and were each affirmed to be truthful in their testimony. As the Landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing documentation was considered. Section 59 of the Act and the Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing. The Tenants testified the Application for Dispute Resolution, and Notice of Hearing had been sent to the Landlord by registered mail on September 7, 2018, a tracking number was submitted as proof of service. Section 90 of the *Act* determines that a document served in this manner is deemed to have been received five days later. I find that the Landlord had been duly served in accordance with the Act.

The Tenants were provided with the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary Matter

At the outset of this hearing, the Tenants testified that they wished to withdraw their application. The Tenants testified that they needed additional time to locate the Landlord for service of critical documents to support their claim.

Analysis

I find that this Application for Dispute Resolution has been withdrawn.

Conclusion

The Application for Dispute Resolution has been withdrawn.

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: January 4, 2019

Residential Tenancy Branch