



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDL-S FFL

### Introduction

This hearing was convened as a result of the landlord's Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act"). The landlord applied for a monetary order for damage to the rental unit, site or property, to keep all or part of a security deposit and/or pet damage deposit, and to recover the cost of the filing fee.

An agent for the landlord SH and two support people for the landlord DD and SP called into the hearing at the appointed start time of the hearing. The tenant called into the hearing 12 minutes late. The parties were affirmed. The agent stated that he did not have a copy of the Monetary Order Worksheet before him as the agent who filed the application is no longer working for the landlord and that the agent at the hearing recently was given the file information for the purposes of representing the landlord at this hearing.

### Preliminary and Procedural Matter

The agent requested to withdraw the landlord's application in full. As a result of the above, **I dismiss** the landlord's application **without leave to reapply**.

I do not grant leave to reapply as I find that doing so would unfairly prejudice the tenant who attended the hearing and was prepared to proceed.

In addition, the parties confirmed their email addresses at the outset of the hearing. The parties also confirmed their understanding that the decision would be emailed to both parties.

Conclusion

The agent has withdrawn the application in full.

I do not grant leave to reapply as I find that would unfairly prejudice the tenant as the tenant was present the hearing.

This decision will be emailed to both parties as described above.

I do not grant the filing fee as this matter was withdrawn in full.

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: January 24, 2019

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Residential Tenancy Branch