



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      FFT MNDCT

### Introduction

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

- authorization to recover a monetary award for loss under the tenancy agreement pursuant to section 67 of the *Act*; and
- a return of the filing fee pursuant to section 72 of the *Act*.

Only the tenant attended the hearing by way of conference call. The tenant was given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

The tenant said she served both landlords individually by way of Canada Post Registered Mail on November 7, 2018. A copy of the Canada Post Registered Mail receipts and tracking numbers were provided to the hearing. Pursuant to sections 88, 89 & 90 of the *Act* the landlords are deemed served with this notice for dispute and evidence on November 12, 2018, five days after their posting.

### Preliminary Issue – Withdrawal of Application

Following opening remarks, I attempted to confirm the amount sought by the tenant in her application for dispute. The tenant said she did not know exactly how much she was looking to pursue and she also had questions around issues concerning her security deposit. I explained to the tenant that I could not provide legal advice to her during the hearing and could only consider the application which was presently before me – that being her application for \$1,750.00. The tenant said she wished to seek legal advice on the matter and wished to withdraw her application.

I find the landlords would not be unfairly prejudiced by the withdrawal of the tenant's application. The tenant's application is withdrawn with leave to reapply.

As the tenant has withdrawn her application she must bear the cost of her own filing fee.

Conclusion

The tenant's application for a monetary award is withdrawn with leave to reapply.

The tenant must bear the cost of her own filing fee.

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: March 1, 2019

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Residential Tenancy Branch