



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD, MNDCT

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant filed under the *Residential Tenancy Act* (the “*Act*”), requesting the return of the security deposit, and for a monetary order for compensation under the *Act*. The matter was set for a conference call.

The Tenant and her Advocate (the “Tenant”) attended the conference call hearing and were 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 Tenant testified the Application for Dispute Resolution and Notice of Hearing had been sent to the Landlord by registered mail on February 27, 2019. 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 Tenant was provided with the opportunity to present her evidence orally and in written and documentary form, and to make submissions at the hearing. The parties confirmed receipt of all evidence submissions.

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.

### Issues to be Decided

- Is the Tenant entitled to the return of her security deposit, pursuant to section 38 of the *Act*?
- Is the Tenant entitled to a monetary award for compensation, pursuant to section 67 of the *Act*?

### Background and Evidence

During the hearing the Tenant withdrew her application, stating that she realized that her application for the return of her security deposit had been premature and that there was additional evidence she wished to submit with her claim.

As the Landlord was not in attendance to dispute the Tenant's request to withdraw her application, I find the Tenant's request appropriate.

### 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I find that this Application for Dispute Resolution has been withdrawn.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: April 8, 2019

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Residential Tenancy Branch