



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **FFL MNDCL-S MNDL-S MNRL-S**

Introduction

This hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- A monetary order for unpaid rent and for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* (“*Regulation*”) or tenancy agreement pursuant to section 67 of the *Act*;
- Authorization to retain all or a portion of the tenant’s security deposit in partial satisfaction of the monetary order requested pursuant to section 72 of the *Act*; and
- Authorization to recover the filing fee for this application pursuant to section 72.

The landlord attended the hearing as represented by the agents AL and PN (“the landlord”) and was given the opportunity to make submissions as well as present affirmed testimony and written evidence. The tenants did not appear at the hearing. I kept the teleconference line open from the scheduled time for the hearing for an additional twenty-two minutes to allow the tenants the opportunity to call. I confirmed the correct call-in number and participant code for the tenants had been provided.

At the outset of the hearing, the landlord provided affirmed evidence regarding service of the Notice of Hearing and Application for Dispute Resolution upon the tenants. After providing evidence, the landlord testified service had not taken place in compliance with section 89. The landlord requested that the application be withdrawn with leave to reapply. Accordingly, the landlord’s claims are withdrawn with leave to reapply.

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: May 02, 2019

Residential Tenancy Branch