



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDL-S, MNRL-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 in the reduced amount of \$2,256.69 for damage to the rental unit, site or property, for unpaid rent or utilities, to keep all or part of a security deposit and/or pet damage deposit, and to recover the cost of the filing fee.

Two agents for the landlord AO and NA ("agents") called into the hearing at the appointed start time of the hearing. Only agent AO spoke and was affirmed. Agent AO ("agent") stated that the landlord wished to withdraw their application in full and reapply as the landlord found other damage and understands that they are not permitted to divide a claim under the *Act*. As a result, and without the respondents present to dispute the withdrawal, the landlord is permitted to withdraw their application in full.

I do not grant the filing fee as a result of the withdrawal of the application in full.

### Preliminary and Procedural Matters

At the outset of the hearing, the first name of one of the tenant was corrected to "Peter" as the first name was incorrectly entered by RTB staff, according to the agent. In addition, the name of the landlord was corrected as the middle name was to be deleted as per an amendment filed with the RTB. These amendments were made pursuant to section 64(3) of the *Act*.

In addition, the agent confirmed their email address at the outset of the hearing. The agent confirmed their understanding that the decision would be emailed to the landlord and sent by regular mail to the tenants.

Conclusion

The agent has withdrawn the landlord's application in full.

The landlord is at liberty to reapply; however, is not granted the filing fee for this matter as the agent withdrew the application in full at the hearing. I note that the respondents were not present to dispute the landlord withdrawal of the landlord's claim.

This decision will be emailed to the landlord and will be sent by regular mail to the tenant.

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: June 10, 2019

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Residential Tenancy Branch