



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ORCA REALTY INC.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      FFT, MNDCT, MNSD

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenants on May 09, 2019 (the "Application"). The Tenants applied for return of the security and pet damage deposits, compensation for monetary loss or other money owed and reimbursement for the filing fee.

The Tenants appeared at the hearing. Nobody appeared at the hearing for the Landlord.

The Application originally named five tenants. I understood the additional three individuals to be family members of the Tenants. I did not have a copy of the tenancy agreement submitted to me to determine who was named on it as tenants. After a discussion in relation to this, the Tenants confirmed that the additional three individuals should be removed from the Application. This is reflected in the style of cause.

I told the Tenants at the outset that I would not consider return of the security and pet damage deposits as this issue had already been determined at a previous hearing.

I heard from the Tenants about service of the hearing package and evidence on the Landlord and was satisfied of service of the hearing package so proceeded with the hearing.

During the hearing, the Tenants said they submitted evidence that was not before me. The Tenants sought an adjournment given this issue with evidence. I did not allow an adjournment as there is no indication in the RTB files that the Tenants submitted evidence that was misplaced or otherwise did not make it to me. The Tenants then

sought to withdraw the Application. I allowed the Tenants to withdraw the Application as I did not find there would be prejudice to the Landlord in allowing this.

The Application is withdrawn at the request of the Tenants.

### Conclusion

The Application is withdrawn at the request of the Tenants.

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: August 21, 2019

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Residential Tenancy Branch