



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPL, FFL

### Introduction and Preliminary Matters

On August 23, 2019, the Landlord applied for a Dispute Resolution proceeding seeking an Order of Possession for Landlord's Use of Property pursuant to Section 49 of the *Act* and seeking to recover the filing fee pursuant to Section 72 of the *Act*. On August 23, 2019, this Application was set down for a participatory hearing to be heard on October 18, 2019 at 11:00 AM.

The Landlord attended the hearing; however, the Tenant did not attend the 6-minute hearing. All in attendance provided a solemn affirmation.

The Landlord advised that the Tenant vacated the rental unit on October 14, 2019, that he wanted to withdraw his Application, and that he was no longer seeking an Order of Possession.

I find that the Landlord's request to withdraw the Application in full does not prejudice the Tenant. Therefore, the Landlord's request to withdraw the Application in full was granted. As the Tenant has vacated the rental unit, an Order of Possession is not necessary to be awarded.

As the Landlord withdrew his Application, I find that the Landlord is not entitled to recover the \$100.00 filing fee paid for this Application.

Conclusion

The Landlord has withdrawn this Application in full.

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: October 18, 2019

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Residential Tenancy Branch