



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regard PHIX HOMES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, OPC, MNDCL, MNRL

Pursuant to section 58 of the *Residential Tenancy Act* ("Act"), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- an Order of Possession for unpaid rent, pursuant to section 55;
- a monetary order for unpaid rent, pursuant to section 67; and
- authorization to recover the filing fee for this application pursuant to section 72.

Both parties attended this hearing, which lasted 10 minutes. The landlord had an agent represent them at the hearing. The tenant represented himself. At the outset of this hearing, the landlord's agent confirmed that he wished to withdraw the monetary portion of the application. The agent also advised that they have already received an order of possession in a previous hearing and no longer requires it. Accordingly, the landlord's request for an order of possession is dismissed. The tenant advised that he is in poor health and agrees to the landlord's request to withdraw the monetary portion as he would prefer to discuss it with the landlord outside of this hearing.

Conclusion

The landlord's application for an order of possession is dismissed without leave to reapply. The landlord's monetary claim is withdrawn with leave to reapply.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: January 23, 2020

Residential Tenancy Branch