



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, FFT

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, made on January 10, 2020, (the "Application"). The Tenants have applied for an order for emergency repairs and the return of the filing fee, pursuant to the *Residential Tenancy Act* (the "Act").

The hearing was scheduled for 1:30pm on March 26, 2020 as a teleconference hearing. The Tenants attended the hearing at the appointed date and time. No one appeared for the Landlord. The conference call line remained open and was monitored for 10 minutes before the call ended. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the Tenants and I were the only persons who had called into this teleconference.

Preliminary Matters

At the start of the hearing the Tenants stated that their request for an order for emergency repairs was in relation to furnace that was not working in the rental unit. The Tenants stated that since submitting their Application, the Landlord has made the necessary repairs to the furnace which is now working properly. As such, the Tenants were seeking to withdraw their Application in its entirety.

The Tenants were seeking to engage in a settlement discussion with the Landlord regarding compensation. As the Landlord did not call into the hearing and there is no evidence before me that the Tenants amended their Application to include a claim for monetary compensation, the Tenants' request was not feasible. The Tenants were encouraged to have settlement discussions with the Landlord following the hearing.

Should the Tenants feel as though they are entitled to further compensation, they are at liberty to reapply for dispute resolution.

Conclusion

I accepted the Tenants' request for withdrawal and the Application was withdrawn accordingly. The Tenants remains at liberty to reapply, should they wish to do so; however, this is not an extension of any statutory timeline.

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: March 26, 2020

Residential Tenancy Branch