



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCT

### Introduction

The tenant filed an Application for Dispute Resolution (the “Application”) on February 7, 2020 seeking to recover compensation for damages. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* on June 11, 2020. In the conference call hearing I explained the process and provided the attending party the opportunity to ask questions.

The agent for the tenant attended the hearing; the landlord did not attend. I find it is undisputed by the landlord that the tenant’s agent was advised by the tenant to speak to the issue at hand. For reasons set out below, I find it more likely than not that the landlord was advised the Application for this hearing is withdrawn. As such, the hearing proceeded in the landlord’s absence.

### Issue(s) to be Decided

Is the tenant entitled to a Monetary Order for Damage or Compensation pursuant to section 67 of the *Residential Tenancy Act*?

### Conclusion

The agent for the tenant in attendance advised that the parties to this hearing met separately prior to the hearing and reached an agreement. They confirmed this agreement is separate from this hearing process; therefore, neither party attended this teleconference hearing.

At the outset of the hearing, they stated the tenant wishes to withdraw the Application. This is because the parties have settled the dispute in which the tenant made a monetary claim.

The tenant has withdrawn their claim. For this reason, I dismiss the tenant's application without 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: June 16, 2020

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Residential Tenancy Branch