



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

ET, FFL

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession, for an early end to the tenancy, and to recover the fee for filing this Application for Dispute Resolution.

The Landlord and the female Tenant agree that on July 10, 2020 the Dispute Resolution Package was personally served to the female Tenant. I find that these documents have been served to the female Tenant in accordance with section 89(2)(a) of the *Residential Tenancy Act (Act)*.

The male in attendance at the hearing, hereinafter referred to as "TD", stated that he was a tenant at the rental unit, although he is no longer living there. TD stated that he attended the hearing today because the female Tenant, who is his mother, provided him with the hearing documents. TD stated that he is not the male Respondent named on the Application for Dispute Resolution and that he has never been known by the name of the male Respondent.

The Landlord stated that TD is the female Tenant's son. She stated that she has always known TD as the male Respondent named on the Application for Dispute Resolution.

I find that TD received the Application for Dispute Resolution from the female Tenant and was, therefore, served in accordance with section 89(2)(c) of the *Act*.

In July of 2020 the Landlord submitted evidence to the Residential Tenancy Branch. The Landlord stated that this evidence was not served to the Respondents. As the

evidence was not served to the Respondents, it was not accepted as evidence for these proceedings.

Issue(s) to be Decided

Should this tenancy end early and, if so, should the Landlord be granted an Order of Possession?

Background and Evidence

Upon being advised that the Landlord's evidence would not be accepted for these proceedings, the Landlord opted to withdraw this Application for Dispute Resolution.

Analysis

I find that this Application for Dispute Resolution has been withdrawn. As the Application for Dispute Resolution has been withdrawn, I do not find it necessary to determine whether TD is a named Respondent in this matter.

Conclusion

The Application for Dispute Resolution has been withdrawn. The Landlord retains the right to file another Application for Dispute Resolution regarding any issue in dispute at these proceedings.

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: July 20, 2020

Residential Tenancy Branch