



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants filed under the Residential Tenancy Act (the “Act”) an order of possession, and to recover the filing fee for his application. The matter was set for a conference call.

Both the Landlord and the Tenants attended the hearing and were each affirmed to be truthful in their testimony. The Landlord and Tenants were provided with the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing. The parties testified that they exchanged the documentary evidence that I have before me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this decision.

Preliminary Matter

At the outset of the hearing, the Tenants testified that they believed the Landlord had rented this rental unit to another person.

The Landlord testified that the rental unit had been rented to another party who was currently occupying the space.

The Tenants testified that they had to secure another rental unit to live in while they waited for these proceedings. The Tenants’ also testified that they did not want to displace the third party now living in this rental unit.

The Tenants requested to withdraw this application for an order of possession for this rental unit, with leave to reapply for financial compensation due to this claim.

I find it appropriate to grant the Tenants' request and allow them to withdraw this Application, with leave to reapply.

Conclusion

The Application for Dispute Resolution has been withdrawn.

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: September 15, 2020

Residential Tenancy Branch