



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PEMBERTON HOLMES LTD. and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDCL-S, FFL

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord filed under the *Residential Tenancy Act* (the “Act”), for a monetary order for damages or compensation for losses under the Act, permission to retain the security deposit and for the return of their filing fee. The matter was set for a conference call.

Both Tenant and the Landlord attended the conference call hearing and were affirmed to be truthful in their testimony. Both parties were provided with the opportunity to present their evidence orally and in written and documentary form and to make submissions at the hearing.

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.

### Issues to be Decided

- Is the Landlord entitled to a monetary order for damages or compensation under the Act?
- Is the Landlord entitled to retain the security deposit for this tenancy?
- Is the Landlord entitled to the return of their filing fee?

### Preliminary Matter

At the outset of this hearing, it was noted that the Landlord's documentary evidence was not in the hearing package provide to this Arbitrator. The Landlord testified that they had submitted an evidence package to the Residential Tenancy Branch. This Arbitrator offered an adjournment to the Landlord to allow them to locate the missing evidence for their application.

The Landlord turned down the offered adjournment and withdrew their application and hung up.

The Tenant did not object to the Landlord's withdrawing their application.

### Analysis

I find that this Application for Dispute Resolution has been withdrawn.

### 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The Application for Dispute Resolution has been withdrawn.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: November 23, 2020

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Residential Tenancy Branch