



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Nest Property Management and Real Estate
Service and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR MNR FF

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. A participatory hearing was held, by teleconference, on February 5, 2021. The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order of possession for unpaid rent or utilities; and,
- a monetary order for unpaid rent or utilities.

The Landlord attended the hearing and provided testimony. The Tenants did not attend the hearing. The Landlord testified that he sent the Tenants a copy of the Notice of Hearing and evidence by registered mail on November 20, 2020. Proof of mailing was provided. Pursuant to section 89 and 90 of the Act, I find the Tenants are deemed to have received these packages on November 25, 2020, the fifth day after they were mailed. The Landlord included his evidence (that had been uploaded up until that date) with this package.

During the hearing, the Landlord discovered that there were some accounting anomalies which made it difficult to present what rent was owed, from when. The Landlord requested to withdraw his application and all 10 Day Notices issued up until this time. The Landlord stated he would like to re-issue a new 10 Day Notice, once he confirms the amounts owing. At that time, the Landlord would like to apply for an order of possession, and a monetary order for what is outstanding.

In consideration of this request, I hereby allow the Landlord to withdraw his application, in full, and he is granted leave to reapply for any monetary amounts owing (rent), as

well as leave to apply for an order of possession if and when he issues a new updated version to the Tenants, with correct and accurate amounts.

I hereby cancel all 10 Day Notices issued thus far, at the Landlord's request.

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: February 05, 2021

Residential Tenancy Branch