



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding THE DOUBLE S CANNERY GROUP
INC. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 55;
- authorization to recover his filing fee for this application from the landlord pursuant to section 65.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed their understanding that the under the Rules of Procedure 6.11, Recordings prohibited states in part that persons are prohibited from recording dispute resolution hearings, except as allowed by Rule 6.12. Prohibited recordings include any audio, photographic, video or digital recording.

At the outset, the tenants' application was clarified. The tenants have selected a request for an order for the landlord to comply with the Act, regulations or tenancy agreement. The applicant does not specify or provide sufficient details of what the tenants request is for. The tenants clarified that they only seek a monetary claim for recovery of costs incurred due to a flooding and recovery of the filing fee. The tenants seek no other orders.

Both parties confirmed the tenants served the landlord with the notice of hearing package and 3 of the 6 submitted documentary evidence files via Canada Post Registered Mail on January 30, 2021. The Arbitrator identified 1 of the remaining document files as a proof of service for the January 30, 2021 service. The tenants stated that due to their poor organization of evidence, the tenants request to proceed with the hearing without the remaining 2 submitted documentary evidence files. Both

parties confirmed the landlord served the tenants with their submitted 4 documentary evidence files in person on April 5, 2021.

Extensive discussions over a 40 minute period resulted in the tenants requesting that their application be withdrawn. The landlord stated that they have no objections to the withdrawal. On this basis, the tenants' application is withdrawn and no further action is required at this time.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: April 12, 2021

Residential Tenancy Branch