



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act"), for an Order of Possession for Cause, based on a One Month Notice to End Tenancy for Cause dated March 9, 2021.

The Landlord appeared at the teleconference hearing, but no one attended on behalf of the Tenants. The teleconference phone line remained open for over ten minutes and was monitored throughout this time. The only person to call into the hearing was the Landlord, who indicated that he was ready to proceed. I confirmed that the teleconference codes provided to the Parties were correct and that the only person on the call, besides me, was the Landlord.

As the Tenants did not attend the hearing, I considered service of the Notice of Dispute Resolution Hearing. Section 59 of the Act and Rule 3.1 state that each respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing. The Landlord testified that he served the Tenants with the Notice of Hearing documents by Canada Post registered mail, sent on March 27, 2021. The Landlord provided Canada Post tracking numbers as evidence of service. I find that the Tenants were deemed served with the Notice of Hearing documents in accordance with the Act. I, therefore, admitted the Application and evidentiary documents, and I continued to hear from the Landlord in the absence of the Tenants.

At the outset of the hearing, the Landlord advised that the Tenants had moved out of the rental unit, and that there are other tenants there now; as such, the Landlord confirmed that he no longer needs an order of possession. As such, the Landlord said he wants to cancel or withdraw the Application.

Based on the Landlord's testimony in the hearing, and for the reasons stated above, I find the withdrawal of this Application is not prejudicial to the Tenants in any way. The Landlord's Application is hereby withdrawn.

The Tenants are encouraged to provide the Landlord with their forwarding address, so that the matter of the security deposit can be resolved.

This Decision is final and binding on the Parties, unless otherwise provided under the Act, and 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 12, 2021

Residential Tenancy Branch