



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL MNDCT OLC FFT

Introduction

This hearing was convened as a result of the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The tenant applied for the following:

- To cancel a Two Month Notice to End Tenancy for Landlord's Use of Property (2 Month Notice)
- For an order directing the landlord to comply with the Act, regulation or tenancy agreement
- For a monetary claim of \$18,550.00 for money owed or compensation for damage or loss under the Act.
- To recover the cost of the filing fee

The tenant attended the teleconference hearing. The tenant was affirmed and the hearing process was explained. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Preliminary and Procedural Matters

The tenant was informed at the start of the hearing that recording of the dispute resolution is prohibited under the Residential Tenancy Branch (RTB) Rules of Procedure (Rules) Rule 6.11. The tenant was also informed that if any recording devices were being used, they were directed to immediately cease the recording of the hearing. In addition, the tenant was informed that if any recording was surreptitiously made and used for any purpose, they will be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation under the Act. The tenant did not have any questions about my direction pursuant to RTB Rule 6.11.

In addition, the tenant confirmed their email addresses at the outset of the hearing and stated that they understood that the decision would be emailed to them. I have corrected the name of the third landlord pursuant to section 64(3)(c) of the Act as the tenant had the first and last names reversed in error, so SR was changed to RS.

At the outset of the hearing, the tenant requested to withdraw their application in full. As the landlord was not at the hearing to object to the withdrawal, the tenant was permitted to withdraw their application and was made aware that I would not be granting the filing fee if the application was withdrawn.

I do not grant liberty to reapply to dispute the 2 Month Notice as the respective deadline to dispute such a notice has passed under the Act.

The monetary claim is dismissed with leave to reapply. The filing fee is not granted as noted above.

Conclusion

The tenant's application was withdrawn in full during the hearing. The tenant has leave to reapply for the monetary claim.

The filing fee is not granted.

This decision will be emailed to the tenant and sent by regular mail to the respondents as the tenant did not have an email address for the respondents.

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: September 28, 2021

Residential Tenancy Branch