



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNDCL MNRL FFL

Introduction

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

- and a monetary order for unpaid rent, and compensation for monetary loss or money owed under the *Act*, regulation or tenancy agreement pursuant to section 67; and
- authorization to recover the filing fee for this application, pursuant to section 72

YB called into the hearing at 1:33 p.m. The tenants did not attend this hearing scheduled for 1:30 pm. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the landlord and I were the only ones who had called into this teleconference.

At the outset of the hearing, I had attempted to take an oath from the landlord, to which the landlord responded that they could not affirm or respond as they did not have the comprehension to understand or proceed without an interpreter. I attempted to explain the process several times, and determine whether the landlord was able to communicate in order to proceed. UB ultimately decided that it would be best if they had the assistance of an interpreter, and confirmed that they wished to withdraw their application at this time. Accordingly, the hearing was cancelled.

As explained in the hearing, as the filing fee is a discretionary award issued by an Arbitrator usually after a hearing is held and the applicant is successful on the merits of the application, the landlord is not entitled to recover the \$100.00 filing fee paid for this application. The landlord must bear the cost of this filing fee.

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 29, 2021

Residential Tenancy Branch