



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **MNRL-S; FFL**

Introduction

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

- a monetary order for unpaid rent in the amount of \$3773.00 pursuant to section 67;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Preliminary Matters

The Landlord advised that the name of the Respondent was amended to reflect the name of the Administrator from the Public Guardian and Trustee Service overseeing the estate of the deceased Tenant. This was not reflected in the Residential Tenancy Branch file. Pursuant to s. 64(3)(a) of the *Act* I have amended the landlord's application.

Preliminary Matters

Effective November 26, 2021, the Landlord and the Estate reached a settlement, and the account was paid in the amount of \$3722.00. The Landlord agreed to return the security deposit to the estate of the deceased.

Both parties mutually agreed the application should be withdrawn. Section 62(4)(a) permits the director to dismiss when there are no reasonable grounds for the application. As this matter settled prior to the hearing, there is nothing for me to consider. I, therefore, dismiss the application without leave to reapply.

Conclusion

Pursuant to sections 62(4)(a) of the *Act*, I dismiss the application, without leave to reapply.

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: December 3, 2021

Residential Tenancy Branch