



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPL-4M, MNRL-S, FFL

### 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 further to having served the Tenant with a Four Month Notice to End the Tenancy for Demolition dated November 22, 2021; for a monetary order for unpaid rent of \$5,350.00; and to recover the \$100.00 cost of their Application filing fee.

An agent for the Landlord, C.A. ("Agent"), appeared at the teleconference hearing, but no one attended on behalf of the Tenant. 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 Agent, who indicated that she was ready to proceed. However, the Agent said she did not expect the Tenant to attend the hearing, as the issues between the Parties had been resolved.

The Agent advised that as the Application was made a long time before the hearing, that the building has since been demolished, after the developer arranged compensation for the tenants. The Agent said that she no longer needs an order of possession nor a monetary order, as the compensation provided to the Tenant by the developer offset the Tenant's debt in this regard.

The Agent confirmed that she wished to withdraw or cancel the Application to conclude this matter. I explained to the Agent that withdrawing this application would conclude the hearing and this matter would be dismissed without leave to re-apply. The Agent expressed her understanding and that she wished to proceed with the withdrawal of the Application.

Conclusion

The Landlord's Application was withdrawn by the Landlord, and therefore, it is dismissed without leave to reapply, pursuant to section 62 of the Act.

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: May 19, 2022

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Residential Tenancy Branch