



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **MNDCT, FFT**

### Introduction

This hearing dealt with an application filed by the tenant pursuant the *Residential Tenancy Act* (the “Act”) for a monetary order for damages or compensation pursuant section 67; and authorization to recover the filing fee from the other party pursuant to section 72.

Both the landlord and the tenant attended the hearing. The landlord was represented by his son/agent KC (“landlord”). At the commencement of the hearing, the landlord advised me that they had sent the tenant a cheque for \$7,000.00 representing the entire amount of the tenant’s claim. The landlord testified that the funds were taken out of their bank account. The tenant testified that she received the landlord’s cheque and deposited it into her bank account but that the funds have not yet cleared. The tenant testified that she notified the Residential Tenancy Branch a few days prior to this hearing.

Given that the cheque has not yet cleared, I determined that the best course of action would be to dismiss the tenant’s application with leave to reapply. Should the funds not clear her bank, the tenant can reapply for the same relief sought in this application. Both parties testified they understood and agreed to my order.

### Conclusion

This application is dismissed with 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: August 08, 2022

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Residential Tenancy Branch