



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

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 emergency repairs to the unit, site or property.

The tenant, the tenant's spouse, JM (spouse), counsel for the landlord, PO (counsel) and an agent for the landlord, DL (agent) attended the teleconference hearing. All parties, except counsel were affirmed. Counsel was not affirmed as counsel confirmed that they have been called to the BC Bar and as such, have already sworn an oath. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Preliminary and Procedural Matter

At the outset of the hearing, when discussing service of documentary evidence, counsel indicated that the landlord was not served with any documentary evidence in support of the tenant's claim. The tenant confirmed that they were unsure how to serve evidence on the other party. The tenant was informed that all of the information was provided by the Residential Tenancy Branch (RTB) in the documents provided prior to the hearing, with service instructions. As a result, the tenant requested to withdraw their application in full. I find that such a request does not prejudice the landlord and is permitted as a result.

The tenant is at liberty to reapply, if necessary. This decision does not extend any applicable time limits under the Act.

Conclusion

The tenant's application was withdrawn in full during the hearing.

The tenant is at liberty to reapply, if necessary. This decision does not extend any applicable time limits under the Act.

As the filing fee was waived, there is no filing fee to address further.

This decision will be emailed to the parties at the email addresses confirmed by both parties during the hearing.

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 16, 2022

Residential Tenancy Branch