



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDL-S, FFL

Introduction

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

- a monetary order for money owed or compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement, pursuant to section 67;
- authorization to retain the tenant's security deposit in partial satisfaction of the monetary order requested, pursuant to section 38; and
- authorization to recover the filing fee for its application from the tenant, pursuant to section 72.

The landlord's agent participated in the teleconference, the tenants did not. The landlords agent provided documentary evidence that the tenants were served by registered mail on February 19, 2022. I am satisfied that the tenants have been properly served notice of this hearing in accordance with section 89 of the Act. At the outset of the hearing the landlord's agent requested to withdraw their application as they have yet to conduct repairs and do not know what the actual costs are. As the tenants didn't participate in the hearing, I hereby grant the landlords agent request and dismiss their application with leave to reapply. The request for the return of the filing fee is dismissed without leave to reapply.

Conclusion

The landlord's application is dismissed with leave to reapply save and except for the request for the filing fee which is dismissed 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: September 29, 2022

Residential Tenancy Branch