



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP, MNDCT, LRE, OLC, FFT

Introduction

This matter was heard on June 23, 2022 and July 25, 2022 regarding the Tenants' application under the *Residential Tenancy Act* for:

- an order for the Landlords to make repairs to the rental unit pursuant to section 32;
- a Monetary Order of \$17,967.00 for the Tenants' monetary loss or money owed by the Landlords pursuant to section 67;
- an order suspending or setting conditions on the Landlords' right to enter the rental unit pursuant to sections 29 and 70(1);
- an order that the Landlords comply with the Act, the regulations, or tenancy agreement pursuant to section 62; and
- authorization to recover the filing fee for this application from the Landlords pursuant to section 72.

On July 22, 2022, I issued an interim decision regarding five of the Tenants' repair-related claims and adjourned the remaining claims in the Tenants' application.

On July 29, 2022, I issued a second interim decision adjourning this matter to written submissions. The deadline for the last of those written submissions is September 16, 2022, which would have marked the conclusion of this proceeding.

Withdrawal of Application

On September 13, 2022, the Residential Tenancy Branch (the "Branch") received written requests from the parties to withdraw this application.

Rule 5.0.1 of the Residential Tenancy Branch Rules of Procedure (the "Rules of Procedure") states in part as follows:

Withdrawing an application after the hearing has begun and is adjourned

Where a participatory hearing (a hearing that is scheduled to take place in person, by telephone or by videoconference) has begun but is adjourned by an

arbitrator for continuation at a later date, a party seeking to withdraw that application must provide evidence of the other party's consent to the withdrawal and that the parties have resolved all matters at issue in the application through a written agreement, such that continuation of the hearing is no longer necessary.

Although the arbitrator will issue a final decision in the matter under Rule 8.7 [*Original decision*], no orders reflecting the terms of the settlement will be issued under Rule 8.4 [*Decision and orders based on settlement*].

Required documents:

- the other party's written consent to the withdrawal
- the written agreement signed by both parties, setting out the parties' agreed resolutions to each of the matters at issue in the application

The parties indicated their consent to withdraw this application and confirmed that they resolved all issues in this application through a written agreement between them. A copy of that written agreement has been provided to the Branch. I note that although the copy of the written agreement provided is unsigned, I find the parties acknowledged in writing that it is the agreement through which they have resolved all issues in this application.

Based on the foregoing, I am satisfied that I have the consent of the parties to order a withdrawal of this application.

Conclusion

By consent of the parties and pursuant to Rule 5.0.1 of the Rules of Procedure, I order that this application be withdrawn.

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 14, 2022

Residential Tenancy Branch