



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, OPB

Introduction and Preliminary Matters

This hearing dealt with the landlord's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order of possession due to an alleged breach by the tenant of an agreement with the landlord and for authority to retain the tenant's security deposit.

The landlord attended the telephone conference call hearing; the tenant did not attend.

At the outset of the hearing, the landlord said that the tenant had vacated the rental unit, as of June 4, 2014, and did not need an order of possession for the rental unit.

The landlord stated that the portion of their application seeking an order of possession for the rental unit should be withdrawn.

Analysis and Conclusion

As the landlord requested withdrawal of her application, I grant this request, having made no findings of fact or law and their application is withdrawn.

The landlord was advised that the portion of their application seeking authority to retain the tenant's security deposit was premature when they filed their application as the tenancy was not over at that point and that the landlord had submitted no information as to why they were entitled to retain the tenant's security deposit.

As the landlord has withdrawn their application, they are at liberty to make further application seeking authority to retain the tenant's security deposit.

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* and is being mailed to both the applicant and the respondent.

Dated: June 06, 2014

Residential Tenancy Branch

