



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FFL

Introduction

This teleconference hearing was scheduled in response to an application by the Landlord under the *Residential Tenancy Act* (the “Act”) for an Order of Possession based on a One Month Notice to End Tenancy for Cause and for the recovery of the filing fee paid for this application.

One of the Landlords attended the teleconference hearing, while no one called in for the Tenants. As the Tenants were not present, service of the Notice of Dispute Resolution Proceeding package (the “Notice of Hearing”) was addressed.

The Landlord testified that the Notice of Hearing documents, along with copies of their evidence were sent to the Tenants by registered mail. The tracking numbers were provided in evidence and show the packages as unclaimed. I accept that the Tenants were duly served with the Notice of Hearing documents.

Issue to be Decided

Is the Landlord entitled to an Order of Possession based on a One Month Notice to End Tenancy for Cause?

Should the Landlord be awarded the recovery of the filing fee paid for the Application for Dispute Resolution?

Background and Evidence

The Landlord provided testimony that they received an Order of Possession for the rental unit through the Direct Request process, after issuing a 10 Day Notice to End Tenancy for Unpaid Rent.

As the Landlord testified that the Tenants have not paid rent for May, June or July 2018, the Landlord is requesting a Monetary Order to compensate for the unpaid rent. However, as this application is for an Order of Possession, which they have already received, the Landlord is withdrawing their application and will file a monetary claim through a separate application.

Analysis

I find that this Application for Dispute Resolution is withdrawn.

Conclusion

The Application for Dispute Resolution has been withdrawn by the Landlords.

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: July 11, 2018

Residential Tenancy Branch