



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET FFL

Introduction

This hearing was convened as a result of the landlord's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The landlord applied to end the tenancy early under section 56 of the Act by way of an order of possession due to an immediate and severe risk to the rental property, other occupants or the landlord, and to recover the cost of the filing fee.

The landlord, the tenant and a witness for the tenants, CP (witness) attended the teleconference hearing. The landlord and tenant gave affirmed testimony. The landlord provided a previous decision file number (previous decision), and stated that as of March 2, 2021, the landlord had already been granted an order of possession. The file number of the previous decision has been included on the style of cause for ease of reference.

Preliminary and Procedural Matters

Given the above and considering that the landlord has obtained possession the landlord requested to withdraw their application in full as this matter is now moot. The parties confirmed their understanding that a Review Consideration Application was filed by the tenant on the previous decision and is awaiting a decision from an Arbitrator. I grant the landlord's request to withdraw their application as I find that a withdrawal does not prejudice the tenant. The landlord is at liberty to reapply should the Review Consideration be granted based on the tenant's Review Consideration Application noted above.

In addition, the parties confirmed their respective email addresses. The parties were also advised that the decision would be emailed to both parties.

Analysis and Conclusion

This has been withdrawn at the hearing by the landlord as the landlord has been granted an order of possession as of March 2, 2021 in the previous decision noted above.

The filing fee is not granted as this application was withdrawn.

This decision will be emailed to both parties as described above.

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: March 5, 2021

Residential Tenancy Branch