



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC, DRI, RR, RP, PSF, LRE, OLC, FFT

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. The Tenants applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

Both parties attended the hearing and provided affirmed testimony. During the hearing, multiple service issues were raised, and the Tenant stated that he sent the Notice of Dispute Resolution Proceeding and evidence to the Landlord's son's email address. However, there was no evidence the parties had an agreement, in writing, to serve each other via email at that address. The email address noted on the tenancy agreement, as an address for service, was the Landlord's personal email address, which the Tenants did not utilize. The Landlord stated that her son is not her agent any longer, and she denies receiving the documents sent by the Tenants.

Further, the Tenants thought they applied to amend their application to include new monetary amounts. However, this was not done. The Tenants were hoping to increase the amount of their initial claim by a significant amount for a variety of reasons.

Given the issues with service, and the lack of properly filed amendments to increase the monetary claim, the Tenants requested to withdraw their application, in full. Both parties agreed that the tenancy ended several months ago and the only remaining issue is monetary in nature.

I hereby allow the Tenants to withdraw their application. The Tenants are granted leave to reapply. However, they are encouraged to clearly organize amounts sought on the future application, and serve the documents in accordance with the Act and the Rules of Procedure.

Conclusion

The Tenants' application has been withdrawn in full. The Tenants are granted leave to reapply for monetary compensation. However, this is not an extension of any statutory limitations.

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: April 21, 2023

Residential Tenancy Branch