Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes   ET, MNR

Introduction

This matter dealt with an application by the Landlord for an Order ending the tenancy earlier than it would end if the Landlord was required to serve the Tenant in the usual way with a One Month Notice to End Tenancy for Cause and wait for the applicable notice period to expire. The Landlord also applied for a Monetary Order for unpaid rent.

The hearing started at 1:30 p.m. as scheduled, however by 1:40 p.m. neither party had dialled into the conference call. As there has been no hearing into the merits of the Landlord's application it is dismissed with leave to reapply **on the following conditions**:

Given the extraordinary nature of an application to end a tenancy early, the Landlord must provide describe the urgent reasons on his application that warrant ending the tenancy early (and the reason <u>must</u> be one that is set out in s. 56 of the Act). Unpaid rent is <u>not</u> a ground for ending a tenancy early under s. 56 of the Act and a Landlord may <u>not</u> include a claim for unpaid rent or any other monetary claim on application to end the tenancy early.

Conclusion

The Landlord's application is dismissed with leave to reapply upon the above-noted terms. 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 23, 2010.

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Dispute Resolution Officer