



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, FF

### Introduction

This hearing was scheduled to hear a landlord's application for an Order of Possession for unpaid rent. The tenant did not appear at the hearing. The landlord and witness affirmed that the hearing documents were posted on the door of the rental unit on October 5, 2012.

I heard that the landlord found the keys to the rental unit in the mailbox of the rental unit on October 2, 2012 and that there has been no activity at the rental unit since October 2, 2012. The landlord was of the position the tenant has vacated or abandoned the rental unit.

Based upon what I heard I found that the tenant has not received these hearing documents as the tenant had already vacated or abandoned the unit when the hearing documents were posted. Accordingly, I did not proceed to hear submissions with respect to unpaid rent or service of a 10 Day Notice to End Tenancy for Unpaid Rent. However, I informed the landlord that when a tenant vacates or abandons a rental unit the tenancy has ended and the landlord automatically regains possession of the rental unit. Thus, an Order of Possession would not be necessary in those circumstances.

The landlord indicated the tenant left some possessions outside of the rental unit and in the carport which appear to be garbage or items of very little value. I referred the landlord to the abandoned property rules provided in the Residential Tenancy Regulations. Further information pertaining to abandoned property may be obtained by contacting the Residential Tenancy Branch and speaking with an Information Officer.

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: October 11, 2012.

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Residential Tenancy Branch