



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes: ET / OP / FF

### Introduction

This hearing was scheduled in response to the landlord's application for an early end of tenancy / an order of possession / and recovery of the filing fee. Both parties attended and gave affirmed testimony.

### Background / Evidence / Analysis

Further to the landlord's application, there is no documentary evidence whatsoever before me. The tenant testified that he was locked out of the unit on or about October 4, 2013 when the landlord changed the locks. He is currently living in a shelter and testified that he does not plan to return to the unit. However, he stated that his television and some personal clothing remain in the unit, and he presently has no place to store these items. For his part, the landlord wants the tenant to remove the items.

As the tenant has vacated the unit and the locks to the unit have been changed, I consider the landlord's application for an early end of tenancy and an order of possession to be withdrawn. Following from these events, the landlord's application for recovery of the filing fee is hereby dismissed.

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

For information, the particular attention of the parties is drawn to the following legislation:

## **ACT**

Section 38: **Return of security deposit and pet damage deposit**

## **REGULATION**

### **Part 5 – Abandonment of Personal Property**

Section 24: **Abandonment of personal property**

Section 25: **Landlord's obligations**

Section 26: **Tenant's claim for abandoned property**

Section 27: **Notice of disposition**

Section 28: **Holder of a security interest**

Section 29: **Disposal of personal property**

Section 30: **Landlord's duty of care**

### Conclusion

The landlord's application is variously withdrawn and dismissed.

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 15, 2013

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Residential Tenancy Branch

