



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET

### Introduction

This hearing was scheduled to deal with a landlord's request to end the tenancy early and obtain an Order of Possession as provided under section 56 of the Act. The tenant did not appear at the hearing.

The landlord testified that the hearing documents were given to an official at the North Fraser Pre-trial Centre on January 22, 2014 as the tenant was in custody at that facility from January 15, 2014 through to the first week in February 2014. The official signed a document indicating that she would give the hearing documents to the tenant but that if she was unable to do so the hearing documents would be returned to the landlord. The landlord testified that the hearing documents were not returned to him.

The landlord further testified that the rental unit is boarded up and has a "Do-Not-Occupy" order imposed by the City due to contravention of the City's Controlled Substance By-Law. Upon release from the pre-trial centre the tenant contacted the landlord and requested entry into the unit to retrieve the possessions he wanted. I heard that the tenant entered the unit and retrieved most of the possessions on the weekend before this hearing. The landlord confirmed that the tenant did not pay rent for the month of February 2014 and communicated to the landlord that the landlord could dispose of the remaining possessions as the tenant would not be returning. The landlord described the abandoned possessions as a minimal amount of furniture.

Based upon the submissions before me, I am satisfied the tenant has abandoned the rental unit. The Act provides that when a tenant abandons a rental unit, the tenancy is at an end and the landlord automatically regains possession of the rental unit. Since the tenant has abandoned the rental unit, I find an Order of Possession and an order ending the tenancy early is no longer necessary and I do not provide such with this decision. The landlord is at liberty to secure the rental unit as necessary and dispose of the tenant's abandoned possessions.

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: February 11, 2014

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Residential Tenancy Branch

