



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

This hearing was scheduled on May 22, 2018 to deal with a landlord's application for an order to end the tenancy early and obtain an Order of Possession under section 56 of the Act. The landlord and her agent appeared at the hearing; however, there was no appearance on part of the tenant.

The landlord testified that she served the hearing package and evidence to the tenant by way of two registered mail packages: one sent on June 13, 2018 and one sent on June 14, 2018. One of the packages was received on June 15, 2018 and the other was received on June 20, 2018. I noted that the hearing package was not sent within the required time limits provided under section 59 the Act and the Rules of Procedure.

The landlord testified that the tenant has vacated the rental unit but that he did not return the keys or pay rent for June 2018. I informed the landlord that she is at liberty to pursue the tenant for unpaid rent by way of another Application for Dispute Resolution if she so chooses. Where a tenant vacates a rental unit, possession of the rental unit automatically reverts back to the landlord and Order of Possession is no longer required. Accordingly, I did not give further consideration to issuing an Order of Possession to the landlord and I dismiss this application.

I make no award for recovery of the filing fee.

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: June 21, 2018

Residential Tenancy Branch