



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, FFL

### Introduction

This decision pertains to the landlord's application for dispute resolution made on November 3, 2018, under the *Residential Tenancy Act* (the "Act"). The landlord sought the following relief:

1. an order ending a tenancy on a date that is earlier than the tenancy would end if notice to end the tenancy were given under section 47 of the Act ("order for early termination of tenancy"), pursuant to section 56 of the Act, based on the following particulars as set out in the landlord's application:

"The house has had walls removed, doors broken, extensive damage to the interior. Junk accumulating inside the house and in the yard. Realtor says it's worth \$40k less than it would have been a year ago, and falling. Tenants are not paying rent, and owe over \$4000 in unpaid rent.";

2. an order of possession in respect of the rental unit, pursuant to section 56 of the Act; and,
3. compensation for recovery of the filing fee, pursuant to section 72 of the Act.

### Background and Evidence

The dispute resolution hearing was scheduled for a teleconference hearing on this date.

Rule 7.1 of the *Rules of Procedure*, under the Act, requires that a hearing start at the scheduled time unless otherwise set by the arbitrator. Further, Rule 7.3 permits an

arbitrator to conduct a hearing in the absence of any party, and may make a decision or dismiss the application, with or without leave to re-apply.

A hearing regarding the application was scheduled to commence at 9:30 a.m. on November 30, 2018. I dialed into the teleconference at 9:30 a.m. and monitored the teleconference line until 9:40 a.m. Neither the tenant nor the landlord dialed into the teleconference during this time. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding. The Internet monitoring system indicated that I was the only person in attendance.

### Analysis

I find that the application has been abandoned.

### Conclusion

I dismiss the landlord's application, with leave to reapply. However, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: November 30, 2018

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Residential Tenancy Branch