



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPL, OPR, FFL

### Introduction

This hearing was scheduled to deal with a landlord's application for an Order of Possession for landlord's use of property and unpaid rent, via teleconference call. The landlord appeared at the hearing; however, the tenant did not appear despite leaving the teleconference call open at least 20 minutes.

Since the tenant did not appear for the hearing, I explored service of hearing documents upon the tenant. The landlord testified that she sent the hearing documents to the tenant via registered mail on January 7, 2019; however, the registered mail was returned as unclaimed. The landlord provided the registered mail receipt, including tracking number, as proof of service. The landlord testified that she also posted the hearing documents to the tenant's door on January 11, 2019 and in response the tenant sent her a profanity-laced text message. I was satisfied the tenant was duly served with notification of this proceeding and I continued to hear from the landlord without the tenant present.

The landlord stated that she observed the tenant moving his possessions out of the rental unit on February 4, 2019 and she has not seen or heard from the tenant since February 6, 2019 despite her sending the tenant a number of text messages. Nor, has the tenant paid any rent after October 2018. The landlord was of the position the tenant has vacated or abandoned the rental unit even though he left a few abandoned possessions behind at the property.

Where a tenant vacates or abandons a rental unit possession of the rental unit automatically reverts back to the landlord and an Order of Possession is no longer required. Considering the landlord is of the position the tenant has already vacated or abandoned the rental unit, and confirmed that an Order of Possession is no longer required, I do not provide one with this decision.

The landlord was encouraged to contact an Information Officer with the Residential Tenancy Branch to familiarize herself with the abandoned property rules.

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 12, 2019

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Residential Tenancy Branch