



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FFL

Introduction

This hearing was scheduled in response to the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order of possession for cause pursuant to section 55; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

The tenant did not participate in the conference call hearing, which lasted approximately 30 minutes. The landlord attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The landlord testified that she served the landlord's application for dispute resolution hearing package ("Application") to the tenant on January 24, 2019, by way of posting. In accordance with sections 89 and 90 of the *Act*, I find that the tenant was deemed served with the landlord's Application on January 27, 2019, three days after it was posted.

Preliminary Issue

Approximately twenty minutes into the hearing the landlord testified that the tenant vacated the rental unit between February 26, 2019 and February 27, 2019. Therefore the remedy sought in this application is no longer required. The landlord's entire application is dismissed.

It should be noted that during the hearing, the landlord continually voiced her displeasure with the services of the Residential Tenancy Branch and demanded compensation for the current state of the rental unit. While I explained the process the landlord would have to undertake to apply for monetary compensation she became increasingly disruptive; she raised her voice, she interrupted, she used profanities and ultimately she disconnected from the teleconference.

Conclusion

The landlord's entire application is dismissed, without leave to reapply.

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: March 05, 2019

Residential Tenancy Branch