



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 1194763 BC LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPC

### Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution, filed January 8, 2020, wherein the Landlord sought an Order of Possession based on an undisputed 1 Month Notice to End Tenancy for Cause issued on November 18, 2019 (the "Notice").

The hearing of the Landlord's Application was scheduled for teleconference at 11:00 a.m. on March 10, 2020. Only the Landlord's representatives (the owner, A.P., and his two caretakers, K.L. and E.C.) called into the hearing.

The Tenant did not call into the hearing although I left the teleconference open until 11:13 a.m. As the Tenant failed to call into the hearing, I considered service of the Landlord's Application materials. The Landlord's representatives were not able to confirm the date the Tenant was served with Notice of the Hearing and the Landlord's Application. As I was not provided with this information, I was not able to find the Tenant was given proper notice of the hearing.

In any case, the Landlord's representatives advised that the Tenant vacated the rental unit the week prior to the hearing. As Tenant gave up possession of the rental unit, an Order of Possession is no longer required. The Landlord's Application is therefore dismissed.

Section 44(1)(d) provides that a tenancy ends when a tenant vacates or abandons the rental unit. Accordingly, I find this tenancy has ended. I therefore authorize the Landlord's representatives to enter the rental unit. The Landlord's representatives were reminded to follow Part 5 of the *Residential Tenancy Regulations* in the event the Tenant abandoned any personal property at the rental unit.

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 10, 2020

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Residential Tenancy Branch