



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET FFL

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "**Act**") for:

- an early end to this tenancy and an Order of Possession pursuant to section 56; and
- authorization to recover the filing fee for this application from the tenants pursuant to section 72.

The tenants did not attend this hearing, although I left the teleconference hearing connection open until 9:45 am in order to enable the tenants to call into this teleconference hearing scheduled for 9:30 am. The landlord's manager ("**CM**") attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that CM and I were the only ones who had called into this teleconference.

CM stated that the tenants contacted her on June 2, 2020 and indicated that they would be vacating the rental unit shortly. CM testified that, as of June 7, 2020, the tenants have vacated the rental unit. As such, per section 44(1)(d), the tenancy has ended.

As the tenants are no longer occupying the rental unit, an order of possession is not required. Accordingly, I dismiss the landlord's application, 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: June 15, 2020

Residential Tenancy Branch