



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Select Real Estate Property Management
Division and [tenant name suppressed to protect privacy]

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 tenant pursuant to section 72.

The tenant did not attend this hearing, although I left the teleconference hearing connection open until 11:12 a.m. in order to enable the tenant to call into this teleconference hearing scheduled for 11:00 a.m. The landlord's representative (the landlord) attended the hearing and was given a full opportunity to be heard, to present sworn 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. During the hearing, I also confirmed from the teleconference system that the landlord and I were the only ones who had called into this teleconference.

The landlord provided written evidence and sworn testimony that they sent the tenant a copy of the dispute resolution hearing package by registered mail on August 25, 2020. They entered into written evidence copies of the Canada Post Tracking Number and Customer Receipt to confirm this registered mailing. In accordance with sections 89 and 90 of the *Act*, I find that this package was deemed served to the tenant on August 30, 2020, the fifth day after its registered mailing.

At the beginning of this hearing, the landlord stated that they had already applied for an Order of Possession on the basis of a 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) using the Residential Tenancy Branch's direct request process. They said that they understood that a decision had already been made to grant them an

Order of Possession on the basis of the 10 Day Notice. As such, the landlord withdrew the current application for an early end to this tenancy and an Order of Possession.

The landlord's application is hereby withdrawn.

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: September 25, 2020

Residential Tenancy Branch