



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NVISION PROPERTY MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET, FFL

Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution, filed on August 28, 2020, wherein the Landlord sought an early end to tenancy pursuant to section 56 of the *Residential Tenancy Act* (the "Act"), as well as recovery of the filing fee.

The hearing of the Landlord's Application was scheduled for teleconference at 9:30 a.m. on October 1, 2020. Only the Landlord's Property Manager, T.N. called into the hearing.

A Proof of Service was provided in evidence by the Landlord and which confirmed that the Landlord served the Notice of this hearing on the Tenant by registered mail sent on August 28, 2020. Documentary evidence submitted by the Landlord confirms the mail was delivered on September 1, 2020. I therefore find the Tenant was duly served with notice of the hearing as of September 1, 2020 and I proceeded with the hearing in his absence.

T.N. confirmed that shortly before the hearing before me the Tenant vacated the rental unit such that an Order of Possession was no longer required. He further confirmed that he had been in contact with the Tenant via email and the Tenant confirmed he "abandoned" the rental unit and asked the Landlord to dispose of the items left in the unit. As the Tenant has given up possession of the rental unit, I dismiss the Landlord's request for an early end to tenancy.

Although the Tenant vacated the rental unit, he did so only after the Landlord made this Application. I therefore award the Landlord recovery of the \$100.00 filing fee. Pursuant to sections 38 and 72 of the *Act*, I authorize the Landlord to retain \$100.00 of the

Tenant's security deposit. The balance of the Tenants' deposits shall be dealt with in accordance with section 38 of the *Act*.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: October 01, 2020

Residential Tenancy Branch