



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes ET, FFL

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An early end to the tenancy and an order of possession - Section 56; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties appeared and were each given full opportunity under oath to be heard, to present evidence and to make submissions.

The Tenant states that it did not receive any evidence from the Landlord. The Landlord's Agent SM states that on April 6, 2021 the evidence was placed on a usb stick, taped to the back of the hearing package pages and then posted on the door of the unit. The Agent states that the service was not witnessed. The Tenant states that it had opened the door on that date and saw the Landlord's agent departing. The Tenant states that while it received the hearing package there was no usb and the hearing package was found on the ground. The Tenant states that the Agent never said anything to the Tenant. The Landlord requests an adjournment in order to provide the evidence to the Tenant. The Landlord requests an expedited reconvened hearing due to the serious nature of the matter. The Tenant consents to the adjournment. Given the Tenant's consent I adjourn the hearing.

Notices of the time and date of the reconvened hearing are included with this Interim Decision. Failure to attend the hearing at the scheduled time will result in a decision being made on the basis of any information before the Arbitrator and the evidence of the Party in attendance at the hearing.

Each Party must serve the other and the Residential Tenancy Branch (the “RTB”) with any additional evidence that they intend to rely upon at the reconvened hearing. I order the Landlord to serve the Tenant with its evidence as soon as possible and no later than 3 days after receipt of this interim decision. The Tenant is directed to the Rules of Procedure for any time restrictions for provision of any additional evidence it may wish to provide in response to the Landlord’s evidence. Fact sheets that explain evidence and service requirements are available on the RTB website at: gov.bc.ca/landlordtenant

If either Party has any questions, they may contact an Information Officer at the RTB at:
Lower Mainland: 604 660 1020
Victoria: 250 387 1602
Elsewhere in B.C.: 1 800 665 8779

This matter is adjourned. 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: April 23, 2021

Residential Tenancy Branch