



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SKYLINE LIVING
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNRL-S, MNDCL-S, FFL

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

- an order of possession for unpaid rent pursuant to section 55;
- a monetary order for unpaid rent and for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover its filing fee for this application from the tenant pursuant to section 72.

The landlord's agent (the landlord) attended the hearing via conference call and provided undisputed affirmed testimony. The tenant did not attend or submit any documentary evidence.

The landlord was advised that the conference call hearing was scheduled for 60 minutes and pursuant to the Rules of Procedure, Rule 6.11 Recordings Prohibited that recording of this call is prohibited.

The landlord stated that the tenant was served with the notice of hearing package via Canada Post Registered Mail on February 25, 2021. The landlord stated that the package was returned as "unclaimed" and the tenant would not likely call in.

The hearing was paused to allow the tenant an opportunity to attend and make submissions. After waiting 10 minutes past the start of the scheduled hearing time the hearing was commenced with the landlord in the absence of the tenant. During the hearing the landlord stated that the tenant had vacated the rental unit by abandoning it on February 14, 2021. The landlord then amended the move-out date to

February 8, 2021. The hearing was paused and the landlord was given an opportunity to organize his evidence due to the discrepancy between the two dates.

When the hearing resumed the landlord requested that application for dispute be withdrawn. The landlord stated that he needed to consult with his administrative staff regarding the evidence. As such, no further action is required at this time.

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: May 21, 2021

Residential Tenancy Branch