



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CANADIAN MENTAL HEALTH ASSOCIATION,
KAMLOOPS 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* ("Act") for:

- an early end to tenancy and an order of possession, pursuant to section 56; and
- authorization to recover the filing fee for this application, pursuant to section 72.

The tenant did not attend this hearing, which lasted approximately 8 minutes. The landlord's two agents, landlord ST ("landlord") and "landlord CHF" attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The hearing began at 9:30 a.m. and ended at 9:38 a.m. 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 the landlord's two agents and I were the only people who called into this teleconference.

The landlord confirmed that she was the manager of rental housing and landlord CHF confirmed that she was the manager of community and vocational integration. Both landlord agents confirmed that they were employed by the landlord company named in this application and that they had permission to speak on its behalf.

At the outset of this hearing, I informed the landlord's agents that Rule 6.11 of the Residential Tenancy Branch ("RTB") *Rules of Procedure* does not permit recording of a hearing by any party. During the hearing, both landlord agents affirmed under oath that they would not record this hearing.

During the hearing, I explained the hearing process to the landlord's agents. The landlord's agents had an opportunity to ask questions. The landlord's agents did not make any adjournment or accommodation requests.

At the outset of the hearing, the landlord confirmed that the tenant vacated the rental unit on April 30, 2021. She said that the landlord took back possession of the rental unit. She maintained that she was not pursuing the landlord's application, the landlord did not require an order of possession, and the landlord would bear the cost of the \$100.00 filing fee paid for this application.

I notified the landlord that the landlord's entire application was dismissed without leave to reapply. She confirmed her understanding of same.

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 28, 2021

Residential Tenancy Branch