



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution, made on November 7, 2021 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order of possession to end a tenancy early for immediate and severe risk; and
- a monetary order granting the recovery of the filing fee.

The hearing was scheduled for 9:30 A.M. on December 2, 2021 as a teleconference hearing. The Landlord attended the hearing at the appointed date and time. No one appeared for the Tenant. The conference call line remained open and was monitored for 14 minutes before the call ended. 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 online teleconference system that the Landlord and I were the only persons who had called into this teleconference.

At the start of the hearing, the Landlord confirmed that the tenancy had ended near the end of October or start of November 2021. The Landlord stated that the Tenant has had squatters attend the rental unit since the Tenant vacated. The Landlord stated that they have since replaced the doors and locks to the rental unit and that the Landlord currently has vacant possession of the rental unit. However, the Landlord was still wishing to continue with the hearing to get an Order of Possession based on immediate and severe risk.

In this case I accept that the Tenant has vacated the rental unit and that the Landlord has vacant possession. I further accept that the Landlord has had an opportunity to change the locks to the rental unit. I find that given the circumstances, there is no longer a threat of immediate and severe risk to the property, the Landlord, or other occupants given the

Tenant no longer resides in the rental unit. As such, I dismiss the Landlord's Application without leave to reapply.

The Landlord may wish to consult Section 24(1) of the Residential Tenancy Branch Regulations which sets out the rules around abandonment of the rental unit.

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: December 02, 2021

Residential Tenancy Branch