



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding TRG REALTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET, FFL

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution, made on February 3, 2022 (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 sever risk; and
- an monetary order granting the recovery of the filing fee.

The landlord's agent L.P. attended the hearing at the appointed date and time, and provided affirmed testimony. No one appeared for the Tenant. The conference call line remained open and was monitored for 10 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 L.P. and I were the only persons who had called into this teleconference.

At the beginning of the hearing, L.P. testified that he was successful in his substituted service application and was granted permission to serve the tenant with the dispute package via email. L.P. stated that he served the Application package and documentary evidence to the Tenant via email on April 11, 2022. The Landlord provided a copy of the email in support. Pursuant to section 89, 90 of the *Act*, I find the above documents are deemed to have been served to the tenant three days later, on April 14, 2022.

At the start of the hearing, L.P. stated that the Tenant vacated the rental unit on April 20, 2022. As such, I find that the Landlord does not require an order of possession given L.P. confirmed that he has vacant possession of the rental unit. As such, I find that the Landlord's Application is now moot and therefore dismissed without leave to reapply.

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 09, 2022

Residential Tenancy Branch