



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR-DR, MNR-DR, FFL

Introduction

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

- an order of possession for unpaid rent, pursuant to section 55;
- a monetary order of \$7,700.00 for unpaid rent, pursuant to section 67; and
- authorization to recover the \$100.00 filing fee paid for this application, pursuant to section 72.

The tenant did not attend this hearing, which lasted approximately 11 minutes. The landlord attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

This hearing began at 9:30 a.m. and ended at 9:41 a.m. I monitored the teleconference line throughout this hearing. 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 and I were the only people who called into this teleconference.

The landlord confirmed her name and spelling. She provided her email address for me to send a copy of this decision to her after the hearing. She confirmed that she owns the rental unit and provided the rental unit address.

Rule 6.11 of the Residential Tenancy Branch *Rules of Procedure* does not permit recording of this hearing by any party. The landlord affirmed, under oath, that she would not record this hearing.

I explained the hearing process to the landlord. I informed her that I could not provide legal advice to her. I notified her that she could hire a lawyer to obtain legal advice, as my role as an Arbitrator was to make a decision about this application. She had an opportunity to ask questions, which I answered. She did not make any adjournment or accommodation requests.

At the outset of this hearing, the landlord confirmed that the tenant vacated the rental unit. She stated that she did not require an order of possession against the tenant. I informed her that this portion of her application was dismissed without leave to reapply. She confirmed her understanding of same.

The landlord said that she did not want to pursue her monetary claims for unpaid rent or the filing fee against the tenant. She said that she applied for \$7,700.00 for unpaid rent until July 31, 2022, and for the \$100.00 filing fee. I informed her that these portions of her application were dismissed without leave to reapply. She confirmed her understanding of same.

Conclusion

The landlord's entire application is 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: July 28, 2022

Residential Tenancy Branch