



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

A matter regarding 559494 BC LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, FFL

Introduction

On October 3, 2021, the Landlord submitted an Application for Dispute Resolution requesting an order of possession for the rental unit based on service of a One Month Notice to End Tenancy dated August 4, 2022, that was not disputed.

The matter was set for a conference call hearing. The Landlord attended the conference call hearing; however, the Tenant did not. The Landlord testified that he served the Tenant with the Notice of Dispute Resolution Proceeding in person on October 20, 2022.

I find that the Landlord served the Tenant with notice to attend the hearing in accordance with sections 89 and 90 of the Act. The hearing proceeded.

The Landlord testified that the Tenant vacated the rental unit on February 15, 2023. The Landlord stated that he does not require an order of possession for the rental unit, and he waived the request to recover the filing fee for the application.

I find that the tenancy ended on February 15, 2023, when the Tenant vacated the rental unit.

The Landlord's application is dismissed.

Conclusion

The Tenant was served with notice to attend the hearing but failed to attend and moved out of the rental unit on February 15, 2023. I find that the tenancy ended on February 15, 2023, when the Tenant vacated the rental unit.

The Landlord does not require an order of possession for the rental unit and waived the request to recover the filing fee.

The Landlord's application is dismissed.

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: February 16, 2023

Residential Tenancy Branch