



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This decision pertains to the landlord's application for dispute resolution made on September 27, 2018, under the *Residential Tenancy Act* (the "Act"). The landlord sought an order to end a tenancy early, pursuant to section 56 of the Act, and sought a monetary order for recovery of the filing fee, pursuant to section 72 of the Act.

A dispute resolution hearing was convened on November 1, 2018. The tenant attended the hearing. The landlord did not.

Issues

1. Is the landlord entitled to an order ending a tenancy early, pursuant to section 56 of the Act?
2. Is the landlord entitled to a monetary order for recovery of the filing fee, pursuant to section 72 of the Act?

Background and Evidence

The dispute resolution hearing commenced at 11:00 A.M. After waiting on the line for eleven minutes, during which time the landlord did not call into and attend the hearing, I ended the hearing at 11:11 A.M. At that time, I confirmed the tenant's email address.

Analysis

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim.

The landlord did not attend the dispute resolution hearing. Ergo, he did not prove his case, and I make no findings of fact or law in respect of this application.

Conclusion

I hereby dismiss the landlord's application without leave to reapply.

This decision is final and binding, except where otherwise permitted under the Act, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: November 1, 2018

Residential Tenancy Branch