



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **ET, FFL**

Introduction

This hearing dealt with an application filed by the landlord pursuant to the *Residential Tenancy Act* (the “Act”) for:

- An early end to tenancy because the tenant poses an immediate and severe risk to the rental property, other occupants or the landlord, pursuant to section 56; and
- Authorization to recover the filing fee from the other party pursuant to section 72.

The tenant attended the hearing, and the landlord did not. The teleconference connection was left open throughout the hearing which commenced at 9:30 a.m. and ended at 9:40 a.m. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing and I also confirmed from the teleconference system that the tenant and I were the only ones who had called in.

At the commencement of the hearing, the tenant acknowledged receipt of the Notice of Dispute Resolution Proceedings, stating he received it on June 23, 2022. I am satisfied the Notice of Dispute Resolution Proceedings (Expedited Hearing) was served in accordance with sections 89 and 90 of the Act.

The Residential Tenancy Branch Rules of Procedure state:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

The landlord did not attend the hearing which was scheduled to commence at 9:30 a.m. and concluded at 9:40 a.m. As the landlord did not attend, the landlord did not present evidence regarding the merits of the application for me to consider.

Consequently, I dismiss the landlord's application seeking an early end to the tenancy without leave to reapply.

The landlord's filing fee will not be recovered.

Conclusion

The 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 08, 2022

Residential Tenancy Branch