

Dispute Codes: ET

Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for an Order of Possession and an early end to the tenancy.

Both parties were represented at the hearing. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present oral evidence, to cross-examine the other party, and to make submissions.

Issue(s) to be Decided

The issues to be decided are whether the Landlord is entitled to an Order of Possession and to end this tenancy early.

Background and Evidence

The Landlord was given the opportunity to explain why he wished to end this tenancy early and the Tenant was given the opportunity to explain why he did not believe the tenancy should end early.

During the hearing the Landlord and the Tenant indicated that they wished to mutually agree to end the tenancy on February 28, 2008. The parties mutually agreed that the Landlord could retain the security deposit as partial payment of the rent that is due for February. The parties further agreed that the Tenant is not required to pay rent for the month of February.

Conclusion

On the basis of the mutual agreement between the two parties I am issuing an Order of Possession that requires the Tenant to vacate the rental unit by 1:00 p.m. on February 28, 2009.

Date of Decision: February 19, 2009
