



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, O, OPB

Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on August 9, 2010 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for an Order of Possession and an order that the respondent bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

Background and Evidence

The applicant testified that:

- This was a fixed term tenancy in which the tenant was required to vacate at the end of the term unless a new contract was signed.
- The end of the tenancy was August 31, 2010.
- No new contract has been signed and the tenant has failed to vacate, although she stated that she is in the process of moving out.



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The applicants are therefore requesting an Order of Possession for as soon as possible and an order that the respondent pay the \$50 filing fee.

Analysis

I have reviewed the tenancy agreement, and it is a fixed term tenancy that required the tenant to vacate at the end of the term, and since the tenant has not, the landlords do have the right to an Order of Possession.

I therefore find in favour of the landlords.

Conclusion

I have issued an Order of Possession that is enforceable two days after service on the respondent and an order that the respondent bear the \$50.00 cost of the filing fee.

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: September 28, 2010.

Dispute Resolution Officer