



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPC, OPB

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution to for an Order of Possession for Cause and for Tenant's breach of an agreement with the Landlord.

The Applicant appeared, gave affirmed testimony that the Tenants have vacated the rental unit by mutual agreement and in satisfaction of the claim, and requested a dismissal of his application.

The Tenants did not appear, although it is unclear from the evidence they were served Notice of the Hearing.

Issues(s) to be Decided

Is the Landlord entitled to an Order of Possession for Cause or Tenants' breach of an agreement?

Background and Evidence

The Landlord issued a One Month Notice to End Tenancy for Cause to the Tenants on June 16, 2010, with a stated effective date of July 31, 2010. The Tenants did not make an application for dispute resolution and is conclusively presumed to have accepted that the tenancy ended on the effective date of the notice.

Analysis

Based on the above, the affirmed testimony and evidence, and on a balance of probabilities, I find as follows:

The Landlord requested a dismissal and therefore, I dismiss the application without leave to reapply.

Conclusion

The Landlord's Application is dismissed without leave to re-apply.

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 15, 2010.

Dispute Resolution Officer