



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes CNL, FF

### Introduction

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for landlord's use of the property and recovery of the filing fee. The applicant did not in the conference call hearing.

### Issues to be Decided

Is the tenant entitled to any of the above under the Act.

### Summary of Background and Evidence

This tenancy started on February 1, 2010 with monthly rent of \$1200.00, the tenant did not a security deposit. On September 29, 2010 the landlord served the tenant with a Notice to End Tenancy for Landlord's Use of Property; rental unit will be occupied by the landlord or the landlord's spouse or a close family member.

The landlord testified that the tenant has found a new residence and had advised the landlord that she would be cancelling today's hearing.

The landlord requested an order of possession for November 30, 2010 and that request has been granted.

### Analysis

Based on the documentary evidence and testimony I find that the tenant was properly served with a notice to end tenancy for landlord's use of property and the notice to end tenancy is upheld and will be effective on November 30, 2010. The tenant is not entitled to recovery of the \$50.00 filing fee.

I hereby dismiss the Tenant's Application for Dispute Resolution without leave to reapply.

The landlord is granted an order of possession for November 30, 2010.



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## Conclusion

**I grant** an Order of Possession to the landlord effective **November 30, 2010**. The tenant must be served with this Order of Possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: November 9, 2010

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Dispute Resolution Officer