



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPC, MNDC, FF

This was an application by the landlord for a monetary order and an order for possession. The hearing was conducted by conference call. The landlords and the tenant participated in the hearing.

The tenant has given several notices by e-mail and by letter of his intention to move out of the rental unit and having given the notices he has then purported to retract them; on July 6, 2010 he gave notice that he would move out on August 31, 2010. On August 30<sup>th</sup> he said he would move out on September 30<sup>th</sup>. On September 15, 2010 the tenant said he would stay until the end of October. On September 30<sup>th</sup> the tenant wrote and said that he would not be vacating the suite on October 30<sup>th</sup>. He said he would let them know at the beginning of November if he would be staying beyond the month of November.

The landlord produced a letter from the tenant dated November 1, 2010 wherein he said: "Please accept this as my notice of Vacancy for November 31, 2010." (sic)

The tenant stated at the hearing that he will move out on November 30, 2010. Based on the notice given and the tenant's confirmation at the hearing I grant the landlords an order for possession effective November 30, 2010, after service on the tenant. This order may be registered in the Supreme Court and enforced as an order of that court. The tenant's vacillations and equivocal conduct necessitated this application; I award the landlords the \$50.00 filing fee for this application and I grant them a monetary order in the said amount.

Dated: November 09, 2010.

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