

DECISION

Dispute Codes OPR, FF

Introduction

This is an application by the Landlord for an order of possession to end a fixed term tenancy and the recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed affirmed testimony. The Tenant did not attend.

Issue(s) to be Decided

Is the Landlord entitled to an order of possession to end the fixed term tenancy?

Background and Evidence

This tenancy began on July 1, 2010 on a fixed term tenancy to end on January 31, 2011. The monthly rent is \$740.00 payable on or before the last day of the preceding month with a security deposit of \$370.00 received by the Landlord.

The Landlord states that the notice of a hearing package was sent to the Tenant by registered mail on January 10, 2011. The Landlord has provided the registered mail receipt from Canada Post. The Landlord states that there is no agreement in writing by both parties to extend the fixed term tenancy. The Landlord has given verbal notice to the Tenant that the fixed term tenancy will end. The Landlord has also given verbal notice for a condition inspection report to be scheduled for the move-out and that the Tenant has refused to acknowledge the notice. The Landlord reports that the Tenant still has possession and occupancy of the rental unit.

Analysis

I find that the Landlord has properly served the Tenant by registered mail as shown during direct evidence and the submitted registered mail receipt.

There is no agreement by both parties in writing to extend the fixed term tenancy. I find that the Landlord has established a claim for an order of possession to end the fixed term tenancy at its expiration. I grant the Landlord an order of possession to take effect as stated on the signed tenancy agreement on January 31, 2011 at 1pm.

As the Landlord has been successful in his claim he is entitled to the recovery of the \$50.00 filing fee.

Conclusion

The Landlord is granted an order of possession and a monetary order for \$50.00.

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: January 25, 2011.

Residential Tenancy Branch