



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPC, MNR, MNSD, FF

Introduction

This conference call hearing was convened in response to the landlord's application for an Order of Possession for Cause; a Monetary Order for unpaid rent and to keep all or part of the security deposit; and to recover the filing fee associated with this application.

The landlord participated in the hearing and provided affirmed testimony. She testified that she appeared at the hearing to apply only for an Order of Possession effective the date of a Termination Agreement signed by the landlord and the tenant. With the exception of this request, she stated that the landlord was withdrawing his application concerning this dispute.

In his documentary evidence submitted to RTB on March 16th, 2011 the tenant provided a copy of the Termination Agreement in question. Therefore I am satisfied, in spite of this late submission that the tenant had knowledge of the date scheduled for this hearing and that he chose not to participate.

The landlord testified that her request for an Order of Possession was to secure possession of the rental unit at the end of the tenancy.

Conclusion

The portion of the landlord's application for a monetary order is withdrawn.

The Termination Agreement specifies that the tenancy will end March 31st, 2011. Accordingly, I grant the landlord an order of Possession effective on that date.

If necessary, This 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: March 21, 2011.

Residential Tenancy Branch