



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for cause.

The tenant/applicant failed to join the conference call hearing, the landlord attended.

Issue(s) to be Decided

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

Background and Evidence

This tenancy began March 30, 2011 with monthly rent of \$320.00 as the tenant qualifies for a rent subsidy. The landlord served the tenant with a 1 Month Notice to End Tenancy for Cause.

The landlord testified at the start of the hearing that the tenant and landlord have signed a Mutual Agreement to End Tenancy which is effective June 30, 2011 at 3:00PM.

The landlord stated that due to the current circumstances and for fear of his personal safety the tenant is vacating the rental unit as quickly as possible and is currently in the process of packing. The landlord testified that the tenant had advised the landlord that the police would be moving him into a safe house and time is of the essence for the tenant.

The landlord stated that they agreed to return the tenant's security deposit in full along with July's rent if the tenant vacates by the date and time noted on the Mutual Agreement to End Tenancy.

To ensure that the landlord obtains possession of the rental unit and ensure the safety of the building and other tenants, the landlord in this hearing has verbally requested an order of possession for June 30, 2011 at 3:00PM.

Analysis

In the absence of any submissions or testimony at the hearing from the tenant upon which to make a decision and as the landlord attended, I have dismissed the tenant's application with no liberty to reapply being granted.

The landlord per section 55 of the *Act* has made a verbal request for an order of possession and that request is granted.

Conclusion

I hereby grant the landlord an **Order of Possession** effective not later than **3:00 PM, June 30, 2011**. This Order must be served on the tenant and 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: June 29, 2011.

Residential Tenancy Branch