



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPB

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an order of possession.

Although served with the Application for Dispute Resolution and Notice of Hearing by registered mail on August 5, 2011, the Tenant did not appear.

The Landlord appeared, gave affirmed testimony and was provided the opportunity to present his evidence orally and in documentary form, and make submissions to me.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession under the Residential Tenancy Act (the "Act") and tenancy agreement?

Background and Evidence

This was a one month, fixed term tenancy for the period of August 1, 2011 until August 31, 2011. According to the terms of the tenancy agreement, the parties agreed that at the end of the fixed length of time, the tenancy ended and the tenant must move out of the residential unit.

The Landlord testified that, although he believed the Tenant was moving, he wanted an order of possession to ensure that the Tenant vacated the rental unit by August 31, 2011.

I find that the Tenant was served notice of this hearing and did not appear.

Analysis

Based on the above testimony and evidence, and on a balance of probabilities, I find as follows:

I find the fixed term tenancy is ending, with no provision that the tenancy would continue, and therefore, I find that the Landlord is entitled to an order of possession effective **at 1:00 p.m. on August 31, 2011**, after service on the Tenant.

I am enclosing an Order of Possession with the landlord's Decision. This Order is a **legally binding, final Order**, and may be filed in the Supreme Court of British Columbia should the tenant fail to comply with this Order of Possession.

Conclusion

The Landlord is granted an Order of Possession.

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: August 31, 2011.

Residential Tenancy Branch