

DECISION

Dispute Codes O

Introduction

This is an application filed by the Landlord for an order of possession resulting from a mutual agreement to end the tenancy.

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

Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

Background and Evidence

The Landlord states that both the Tenants were served with the notice of hearing documents by registered mail on October 7, 2011 and has confirmed that the Canada Post Registered Mail Packages were signed for by the Tenant, B.C. on October 11, 2011 for both packages. The Landlord has verbally provided the two tracking numbers, 79611780428 and 79611780388.

The Landlord has provided a copy of a signed mutual agreement to end the tenancy dated September 22, 2011 to end on October 31, 2011. The Landlord states that as of the hearing time that no change in possession has occurred.

Analysis

I accept the Landlord's undisputed testimony that the Tenant was served with a notice of a hearing package by registered mail on October 7, 2011. The Tenant has not filed for dispute resolution to dispute the Landlord's claims or the mutual agreement to end the tenancy on October 31, 2011 at 1:00pm. I find that the Tenant has accepted that the Tenancy ended on the effective date of the notice.

Based on the above facts, I find that the Landlord is entitled to an order of possession. The Tenant must be served with the order of possession. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: October 31, 2011.

Residential Tenancy Branch