



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession and recovery of the filing fee paid to bring his application. Despite having been served with the application for dispute resolution and notice of hearing via registered mail on February 10, 2012, the tenant did not participate in the conference call hearing. I found that the tenant had been properly served with notice of the claim against her and the hearing proceeded in her absence.

Issue to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord's undisputed evidence is as follows. On December 22, 2011, the tenant signed a notice advising that she would vacate the rental unit on February 29, 2012.

Analysis

I accept the landlord's undisputed evidence and I find that the tenant gave notice that she would vacate the rental unit. I find that the landlord is entitled to an order of possession effective on that date and I enclose a formal order herewith that may be filed in the Supreme Court for enforcement. As the last date of the tenancy has not yet arrived, it is not possible to determine whether this application was required as the tenant may have moved out in compliance with the notice she gave. For this reason, I find that the landlord should bear the cost of his filing fee.

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: February 23, 2012

Residential Tenancy Branch