



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 the application. Despite having been personally served with the application for dispute resolution and notice of hearing on May 28, the tenant did not participate in the conference call hearing.

Issue to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began on or about May 7, 2011 and was set to run for a fixed term ending on June 30, 2012. The tenancy agreement provides that at the end of the fixed term, the tenant must move out of the rental unit. The landlord seeks an order of possession based on this contractual provision.

Analysis

I accept the landlord's undisputed evidence and I find that the tenancy ends on June 30, 2012 pursuant to the terms of the tenancy agreement. I find that the landlord is entitled to an order of possession effective on that date and I grant him that order. The order may be filed in the Supreme Court for enforcement if required.

As the hearing took place prior to the end of the fixed term, I am not persuaded that the landlord's application was necessary and for this reason I find it appropriate that the landlord bear the cost of the filing fee.

Conclusion

The landlord is granted an order of possession effective June 30, 2012.

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 18, 2012

Residential Tenancy Branch