



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: ET & FF.

Introduction:

This hearing dealt with an application by the Landlord seeking to end this tenancy early pursuant to the provisions of Section 56 of the Act; and to recover the cost of the filing fee from the Tenants.

The Landlord gave affirmed testimony at the Hearing.

The Landlord testified that a police officer served the Tenants with the Notice of Hearing documents on July 7, 2012, at 5:50 p.m. Based on the affirmed testimony of the Landlord, I find that the Tenants were served with the Notice of Hearing documents.

Issue(s) to be Determined:

- Is the Landlord entitled to an early termination of the tenancy agreement and an Order of Possession?

Background and Evidence:

The Landlord testified that the Tenants left the rental unit on July 1, 2012, taking their clothing, personal possessions and bedding. The Landlord stated that the Tenants left the rental unit unlocked. The Landlord testified that when the Tenants had not returned by July 3, 2012, and the door was still unsecure, she determined that the Tenants had abandoned the rental unit.

The Landlord changed the locks to the rental unit on July 4, 2012.

Analysis:

I find that the Landlord took back possession of the rental unit on July 4, 2012, after determining that the Tenants had abandoned the rental unit.

The Landlord has determined that the Tenants abandoned the rental unit. Therefore **I find that the tenancy ended on July 3, 2012**, pursuant to the provisions of Section

44(d) of the Act. The Landlord's application to end the tenancy early and obtain an Order of Possession is **dismissed**.

Conclusion:

The Landlord's application is **dismissed**.

I find that the tenancy ended on July 3, 2012, pursuant to the provisions of Section 44(d) of the Act.

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: July 13, 2012.

Residential Tenancy Branch