



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, OPL, O

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession, pursuant to a mutual end to tenancy agreement, entered into by the parties. The notice of hearing was served on the tenant by registered mail. The landlord filed a tracking slip into evidence. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions

Issues to be decided

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord testified that the tenancy started approximately five years ago. The monthly rent is \$2,338.10 payable on the first of each month. On August 28, 2012, after the landlord filed this application, the parties agreed to end the tenancy and signed a termination agreement

According to the agreement the tenant agreed to move out on or before November 10, 2012. The landlord has requested an order of possession effective this date.

Analysis

Based on the undisputed testimony and documentary evidence of the landlord, I find that the tenant has agreed to move out on November 10, 2012. Therefore, I find that the landlord is entitled to an order of possession and pursuant to section 55(2); I am issuing a formal order of possession effective on or before 1:00 p.m. on November 10, 2012. The Order may be filed in the Supreme Court for enforcement.

Conclusion

I grant the landlord an order of possession effective on or before 1:00 p.m. on November 10, 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: September 20, 2012.

Residential Tenancy Branch