



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      O, FF

### Introduction

This is an application filed by the Landlords for an order of possession and recovery of the filing fee.

Both parties have attended the hearing by conference call and have given testimony.

### Issue(s) to be Decided

Is the Landlord entitled to an order of possession?

### Background, Evidence and Analysis

Both parties agreed that a fixed term tenancy ending on April 30, 2013 on a signed tenancy agreement was signed.

The Landlord seeks an order of possession for the end of the tenancy on April 30, 2013. The Tenant has stated that they intended to vacate the rental unit at the end of the tenancy on April 30, 2013. Neither party can provide any details of why an order of possession is required. The Tenant has no objection to the Landlord obtaining an order of possession.

As neither party has any objection to ending the tenancy as per the signed tenancy agreement and neither party has any intention of extending the tenancy, I grant the Landlord's request for an order of possession. However, I find that the Landlord is not entitled to recovery of the filing fee as the Application filed was pre-mature and without any cause.

Conclusion

The Landlord is granted an order of possession effective on April 30, 2013 as per the signed fixed term tenancy agreement.

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 20, 2013

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Residential Tenancy Branch

