



Dispute Resolution Services

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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 pursuant to a mutual agreement to end tenancy. The landlord participated in the conference call hearing but the tenant did not. The landlord submitted a document signed by the tenant, in which the tenant acknowledged that he had been personally served with the application for dispute resolution and notice of hearing on February 6, 2013. I found that the tenant was served with notice of the hearing, and proceeded in the tenant's absence.

Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord submitted a Mutual Agreement to End Tenancy signed by the landlord and the tenant, in which the parties agreed that the tenancy would end on February 28, 2013 at 1:00 p.m. In the hearing, the landlord stated that he has been available all day, but the tenant has not contacted him and has not vacated the rental unit.

Analysis

Based on the signed Mutual Agreement to End Tenancy, I find that the landlord is entitled to an order of possession.

As the landlord's application was successful, he is also entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

I grant the landlord an order of possession effective two days from service. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I also grant the landlord recovery of his \$50 filing fee, pursuant to section 72 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: February 28, 2013

Residential Tenancy Branch

