



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Strawberry Hill Housing Society  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes**

Tenant: CNC  
Landlord: OPC, FF

### **Introduction**

This hearing was convened in response to cross applications by the parties. The tenant filed on May 23, 2013 to cancel a 1 Month Notice to End Tenancy for Cause (the Notice to End) dated May 21, 2013.

The landlord filed on June 07, 2013 for an Order of Possession for Cause. The Notice to End was given with the reasons as:

- *Significantly interfered with or unreasonably disturbed another occupant or the landlord.*
- *Tenant has engaged in illegal activity that has, or is likely to:*
  - *adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant, or the landlord.*

For this type of application, the onus is on the landlord to prove the Notice to End was issued for sufficient reasons, and that at least one(1) reason must constitute sufficient cause for the Notice to be valid. The landlord is not required to prove all reasons stipulated for ending the tenancy.

Both the tenant and the landlord appeared in the conference call and each participated in the hearing.

### **Issue(s) to be decided**

Is there *sufficient* cause to end the tenancy?  
Is the landlord entitled to an Order of Possession?

### **Background and evidence**

At the outset of the hearing the tenant testified that they have already given notice to vacate effective June 30, 2013, and effectively are no longer opposing the landlord's

request for an Order of Possession and to the tenancy ending June 30, 2013. The landlord acknowledged receiving the tenant's Notice to vacate and requested an Order of Possession for June 30, 2013. The tenant agreed to the landlord's request.

### **Analysis**

I accept the testimony of the tenant and the landlord. I find that the tenant has effectively withdrawn their application in favour of accepting the landlord's Notice to End and ending the tenancy on June 30, 2013. As the landlord's application is unopposed I **dismiss** the tenant's application. As a result, I find the landlord is entitled to an **Order of Possession** effective June 30, 2013. I further find the landlord is entitled to recover their filing fee of **\$50.00**.

### **Conclusion**

The tenant's application is **withdrawn / dismissed**.

**I Order** the tenancy will end on the effective date of the Notice to End. I grant an **Order of Possession** to the landlord effective **Sunday, June 30, 2013**. This Order must be served on the tenant. Should the tenant then 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 Order** that the landlord may retain **\$50.00** from the tenant's security deposit in satisfaction of their filing fee.

**This Decision is final and binding on both parties.**

*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, 2013

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Residential Tenancy Branch

