



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding TLA Enterprises Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes: OP

### Introduction

This hearing concerns the landlord's application for an order of possession on the basis of a mutual agreement to end a tenancy. The landlord's agent attended and gave affirmed testimony.

Despite service of the application for dispute resolution and notice of hearing (the "hearing package") by registered mail, the tenant did not appear. Evidence submitted by the landlord includes the Canada Post tracking number for the registered mail.

### Issue(s) to be Decided

Whether the landlord is entitled to the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

Pursuant to a written tenancy agreement, a copy of which is not in evidence, the tenancy began approximately 18 month ago. Monthly rent is \$420.00 and a security deposit of \$200.00 was collected.

On July 14, 2013, both parties signed a "Termination Agreement," pursuant to which it was agreed that the tenancy would end at 1:00 p.m., Saturday, August 31, 2013. Arising from that agreement, the landlord seeks an order of possession.

### Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

Section 55 of the Act addresses **Order of possession for the landlord**, in part as follows:

55(2) A landlord may request an order of possession of a rental unit in any of the following circumstances by making an application for dispute resolution:

(d) the landlord and tenant have agreed in writing that the tenancy is ended.

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord's agent, I find that the landlord has established entitlement to an **order of possession**, pursuant to the "Termination Agreement" signed by both parties on July 14, 2013.

#### Conclusion

I hereby issue an **order of possession** in favour of the landlord effective **1:00 p.m., Saturday, August 31, 2013**. This order must be served on the tenant. 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.

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: August 26, 2013

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Residential Tenancy Branch

