



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

LANDLORD: OPC, FF  
TENANT: CNC, MT

### **Introduction**

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlord and the Tenant.

The Landlord filed seeking an Order of Possession to end the tenancy and to recover the filing fee for this proceeding.

The Tenant filed to obtain an order to cancel the Notice to End Tenancy and for more time to make the application.

Service of the hearing documents by the Landlord to the Tenant were done by personal delivery on December 10, 2013 in accordance with section 89 of the Act.

Service of the hearing documents by the Tenant to the Landlord were done by personal delivery on January 11, 2014 in accordance with section 89 of the Act.

Both parties confirmed the receipt of the other parties' hearing package.

At the start of the conference call the Tenant said he had moved out of the rental unit and as a result the Tenant said he is withdrawing his application to cancel the Notice to End Tenancy.

I accept the Tenant's request to withdraw his application.

The Landlord said he understood the Tenant had moved out, but he requested an Order of Possession to support the end of the tenancy.

I accept the request for an Order of Possession to support the end of the tenancy and I grant the Order to the Landlord.

As the Landlord has been successful in this matter I order the Landlord to recover the filing fee of \$50.00 from the Tenant's security deposit. The Landlord is also to handle the balance of the security deposit of \$200.00 in accordance with the Act.

### Conclusion

The Tenant's application is withdrawn.

An Order of Possession effective 2 days after service of it on the Tenant has been issued to the Landlord. A copy of the Order must be served on the Tenant: the Order of Possession may be enforced in the Supreme Court of British Columbia.

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: January 29, 2014

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Residential Tenancy Branch

