



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Pacifica Housing Advisory Association
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET, OPB

Introduction

This was a hearing with respect to the landlord's application for an early end of tenancy and an order for possession. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant did not attend, although he was personally served with the Application for Dispute Resolution and Notice of Hearing on June 16, 2014.

Issue(s) to be Decided

Is the landlord entitled to an order for possession?

Background and Evidence

The rental unit is an apartment in a subsidised housing facility in Victoria. The landlord applied for an early end of tenancy based on reports that the tenant has assaulted other occupants of the rental property. On June 19, 2014, after the landlord filed the application for dispute resolution the tenant signed a mutual agreement to end tenancy whereby he agreed to move out of the rental unit on June 30, 2014. The landlord's representative attended the hearing and testified that the tenant has not yet moved out of the rental unit despite his written agreement to do so. The landlord requested an order for possession pursuant to the mutual agreement to end tenancy.

Analysis

The landlord has provided a copy of a mutual agreement to end tenancy signed by the tenant and the landlord ending the tenancy effective June 30, 2014. The tenant has not moved out as agreed and I find that the tenancy has ended pursuant to the mutual agreement to end tenancy and the landlord is therefore entitled to an immediate order for possession.

Conclusion

I allow the landlord's application and grant the landlord an order for possession effective two days after service on the tenant. This order may be registered in the Supreme Court 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: July 02, 2014

Residential Tenancy Branch

