



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      O & FF

### Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondents although duly served. I waited 10 minutes past the scheduled start time and the respondents still had not appeared. I proceeded in their absence. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the respondents on May 24, 2014. The applicant filed an Amended Application but did not serve the Application. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?

### Background and Evidence

The parties entered into a 6 month fixed term written tenancy agreement that provided that the tenancy would start on February 1, 2014 and end on July 31, 2014. It further provided that the tenants must vacate at that time unless the landlord and tenant otherwise agree. The rent is \$2100 per month payable on the first day of each month. The tenant paid a security deposit of \$1050 at the start of the tenancy. The parties did not agree to a further fixed term tenancy.

### Analysis - Order of Possession:

I determined the landlord was entitled to an Order for Possession. The tenancy agreement provided for a 6 month term and that the tenants must vacate the residential property on the day the tenancy ends unless the parties otherwise agree. The parties have not otherwise agreed.

**Accordingly, I granted the landlord an Order for Possession effective July 31, 2014.** The claim for the filing fee was added in the Amended Application for Dispute Resolution but that document was not served on the Tenants. As a result there is no order for the return of the filing fee as it was not made in the original application.

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

Dated: July 15, 2014

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Residential Tenancy Branch

