



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR, OPR, O, FF

### Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order. Despite having been personally served with the application for dispute resolution and notice of hearing on February 8, 2015, the tenant did not participate in the conference call hearing.

At the hearing, the landlord withdrew his claim for a monetary order and for recovery of the filing fee paid to bring his application. The hearing proceeded to address only his claim for an order of possession.

### Issue to be Decided

Is the landlord entitled to an order of possession as claimed?

### Background and Evidence

The landlord's undisputed evidence is that on December 18, 2014, the landlord and tenant signed a mutual agreement to end tenancy whereby the tenant agreed to vacate the rental unit on January 31, 2015 at 1:00 p.m. The landlord testified that the tenant failed to vacate the unit in accordance with the agreement and stated that he is willing to allow the tenant to remain in the unit until March 15, 2015.

### Analysis

I accept the undisputed evidence of the landlord and I find that the tenant agreed to vacate the rental unit on January 31, 2015. I find that the tenancy has ended and that the landlord is entitled to an order of possession. I grant the landlord that order. As the landlord is willing to allow the tenant to remain in the unit until March 15, 2015, the order is effective on that date. The order must be served on the tenant and may be filed in the Supreme Court for enforcement if required.

Conclusion

The landlord is granted an order of possession effective March 15, 2015.

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: March 02, 2015

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Residential Tenancy Branch

