



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute codes      OP MNR MNSD FF

### Introduction

This hearing dealt with an application by the tenant for an order setting aside the landlord's 2 Month Notice to End Tenancy dated July 27, 2015. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not appear although it was her own application that was before me.

At the hearing the landlord made a verbal request for an order of possession.

### Issues

Are the parties entitled to the requested orders?

### Background and Evidence

On July 27, 2015 the landlord served the tenant with a 2 Month Notice to End Tenancy. On August 11, 2015 the tenant filed an Application for Dispute Resolution disputing the Notice. Subsequently in a letter dated September 1, 2015 the tenant served the landlord with a letter indicating that she would be vacating the rental unit as of October 1, 2015. According to the landlord, the tenant still hasn't moved out. It is for this reason that the landlord says he is now requesting an order of possession.

### Analysis

The tenant filed an application disputing the landlord's 2 Month Notice to End Tenancy but then failed to show for the hearing. The tenant then advised the landlord by way of letter that she would be vacating the unit by October 1, 2015. As of today's date the tenant still hasn't moved out. As a result, I find that the landlord is entitled to an order of possession effective 2 days from the date of service.

### Conclusion

*Order of Possession* - Based on the above background, evidence and analysis I find that the landlord is entitled to an order of possession effective two days after service on the tenant. This order may be filed 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: October 05, 2015

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Residential Tenancy Branch

