



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR CNC FF

Introduction

This hearing was scheduled to deal with an application by the tenant for an order cancelling the landlord's 1 Month Notice to End Tenancy dated September 30, 2015 and an order cancelling the landlord's 10 Day Notice to End Tenancy dated November 9, 2015. The landlord made a verbal request for an order of possession at the hearing. The tenant also requested recovery of the filing fee from the landlord. Both parties attended the hearing and had an opportunity to be heard.

At the outset of the hearing the parties advised that the tenant had already vacated the rental unit as of November 30, 2015. In point of fact, the tenant actually moved out on or about November 2nd but left several large pieces of furniture behind. The rent was also paid for the month of November although the landlord claimed it was \$150.00 short.

Because the tenant has already vacated the rental unit, the Notices to End Tenancy are no longer in issue. And even though the tenant has vacated the rental unit, the landlord has requested an order of possession effective November 30, 2015 out of an abundance of caution due to the number of items that still remain in the unit. I advised the landlord that I would make that order. But for greater clarity I declare that this tenancy has come to an end effective November 30, 2015.

The parties also wished to conclude several outstanding matters as follows:

- The tenant will return three sets of keys to the landlord today by dropping them in the landlord's mailbox;
- The tenant will arrange for the items remaining in the unit to be picked up by no later than December 22, 2015;
- If the tenant does not pick up the remaining items by December 22nd, the landlord may dispose of them;

- Any questions the tenant has about picking up the tenant's items will be dealt with by the landlord's representative Chrystie Stewart who can be reached by telephone at (250) 374-6601

The tenant's request to recover the filing fee for this matter is dismissed.

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: December 14, 2015

Residential Tenancy Branch

