



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 0967048 B.C. LTD [tenant name suppressed to protect privacy]

DECISION

Dispute Codes O

Introduction

This hearing dealt with an application by the landlord seeking an order of possession. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by posting the notice on the door pursuant to Section 89(2) of the Act on May 18, 2016. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence.

Issues to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord gave the following testimony:

The fixed term tenancy began on or about April 2, 2016 and is set to end on July 1, 2016. Rent in the amount of \$1275.00 is payable in advance on the first day of each month. The landlord stated that the tenancy agreement has the vacancy clause which requires the tenant to move out by July 1, 2016. The landlord stated that he was concerned about the tenant not moving out based on some comments she made. The landlord stated that he spoke to the tenant about it and she agreed to sign a Mutual End of a Tenancy Agreement to take effect on July 1, 2016. The landlord stated that he also had the tenant sign a letter that indicates that she's not disputing the landlords' application for an order of possession.

Analysis

The landlord submitted extensive documentation to support his claim. *I accept the landlord's undisputed testimony and* I find that the tenant and landlord have come to agreement to have the tenancy end on July 1, 2016 based on the tenancy agreement, the supporting letter, and the Mutual End of a Tenancy Agreement. . Based on the above facts I find that the landlord is entitled to an order of possession pursuant to Section 55 of the Act. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Conclusion

The landlord is granted an order of possession.

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: June 24, 2016

Residential Tenancy Branch