



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPL FF

Introduction:

Only the landlord attended and gave sworn testimony that both the Notice to End Tenancy dated June 24, 2016 to be effective August 31, 2016 and the Application for Dispute Resolution were served by registered mail. The landlord applies pursuant to the *Residential Tenancy Act* (the Act) to obtain an Order of Possession for landlord's use of the property pursuant to sections 49 and 55 and to recover the filing fee for this application.

Issue(s) to be Decided:

Has the landlord proved on the balance of probabilities that the tenancy is ended pursuant to section 49 and he is entitled to an Order of Possession or has the tenant entitled to any relief? Is the landlord entitled to recover the filing fee?

Background and Evidence

Only the landlord attended the hearing and was given opportunity to be heard, to provide evidence and to make submissions. The undisputed evidence is that the tenancy commenced November 1, 2014, rent was \$1400 a month and a security deposit of \$700 was paid. The landlord served a Notice to End Tenancy pursuant to section 49 of the Act for the following reasons:

- a) The landlord requires the property for their own use for occupancy by the landlord or the landlord's spouse or close family member (father, mother or child) of the landlord or the landlord's spouse.

The landlord said the tenant had vacated the unit, they had dealt satisfactorily with the security deposit and they no longer required an Order of Possession or the filing fee for this application. On the basis of the documentary and solemnly sworn evidence presented for the hearing, a decision has been reached.

Analysis and Conclusion:

The application is dismissed as the parties have resolved matters to their own satisfaction and the tenant has vacated.

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: September 08, 2016

Residential Tenancy Branch