



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

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### Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution, received at the Residential Tenancy Branch on August 29, 2016 (the "Application"). The Landlord applied for an order of possession pursuant to the *Residential Tenancy Act* (the "Act") and a Mutual Agreement to End a Tenancy, dated August 26, 2016.

The Landlord attended the hearing on his own behalf. The Tenants were represented at the hearing by M.V. Both parties were assisted by S.G., an intercultural support worker. All parties giving evidence provided a solemn affirmation.

Receipt of the Notice of a Dispute Resolution Hearing, dated August 29, 2016, and the evidence upon which the Landlord intended to rely, was acknowledged by the Tenant. The Tenant did not submit any documentary evidence. No issues were raised with respect to the service of documentary evidence.

The parties were given an opportunity to present evidence orally and in written and documentary form, and to make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Issue to be Decided

Is the Landlord entitled to an order of possession?

### Background and Evidence

The parties agreed on the terms of the tenancy agreement between them. They confirmed a fixed-term tenancy began on March 1, 2016 and ends on October 31, 2016. Rent is payable in the amount of \$1,800.00 per month. The Tenants paid a security deposit of \$900.00.

The Landlord submitted with his documentary evidence a copy of the Mutual Agreement to End a Tenancy, which was signed and dated by the parties on August 26, 2016. In it, the Tenants agree to vacate the rental unit by 12:00 p.m. on October 31, 2016.

The Landlord requested an order of possession based on the Mutual Agreement. The Tenant M.V. agreed.

### Analysis

Section 55(2) of the *Act* permits a landlord to request an order of possession of a rental unit when the landlord and tenant have agreed in writing that the tenancy is ended.

Based on the affirmed testimony and documentary evidence, and with the agreement of the parties, I find the Landlord is entitled to an order of possession. The order of possession will be effective at 12:00 p.m. on October 31, 2016.

### Conclusion

The Landlord is granted an order of possession, which will be effective at 12:00 p.m. on October 31, 2016. This order of possession may be filed in and enforced as an order of the Supreme Court of British Columbia.

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 19, 2016

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Residential Tenancy Branch

