



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, OPL

Introduction

In the first application the tenant seeks an order that the landlord Ms. R. comply with the law and the tenancy agreement regard the provision of documentation and regarding entry.

In the second application the landlords Mr. and Mrs. R. seek an order of possession pursuant to a two month Notice to End Tenancy for landlord use of property for an effective date of December 31, 2016.

Issue(s) to be Decided

Will this tenancy end December 31? In the circumstances, would a compliance order be warranted?

Background and Evidence

The rental unit is a bachelor suite in the lower, ground floor of the landlords' home. There is a second ground floor suite, rented to others.

There exists a written tenancy agreement, not submitted by either side. It is uncertain that it has been signed by the landlords.

The parties agree this tenancy started December 1, 2015 and that the rent, due on the first of each month, is \$925.00. Mr. D.R. for the landlords says they hold a \$425.00 security deposit. The tenant says it's \$462.00.

The tenant is planning to move out but considers that as she pays her rent on the first of each month, she can move out on the first.

Analysis

As the tenant will be leaving the premises shortly, it would not be appropriate to consider or issue a compliance order against the landlord. It would serve no purpose and be of no benefit to the tenant.

This tenancy will end by operation of s. 49 of the *Residential Tenancy Act* on the last day of the December rental period; that is December 31, 2016. The landlords are entitled to an order of possession for one o'clock on that day.

Conclusion

The tenant's application is dismissed. The landlords' application is allowed and an order of possession will issue for December 31, 2016.

Neither side seeks recovery of any filing fee.

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 21, 2016

Residential Tenancy Branch