



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, O

### Introduction

This hearing dealt with a tenant's Application for Dispute Resolution (the "Application") under the Residential Tenancy Act (the "Act") for:

- an order to cancel the landlords' Two Month Notice To End Tenancy for Landlord's Use of Property (the "Two Month Notice"); and
- an order for unspecified other relief. .

The landlords and the tenant appeared at the teleconference hearing and gave affirmed testimony. During the hearing the landlords and tenant were given a full opportunity to be heard, to present sworn testimony and make submissions. A summary of the testimony is provided below and includes only that which is relevant to the hearing.

### Background and Analysis

The tenant acknowledged receiving a copy of a Two Month Notice posted on her door on March 23, 2017, with an effective date of May 30, 2017. The tenant indicated that she has made arrangements to move out of the rental unit at the end of May 2017. Therefore, I dismiss the tenant's application as it is no longer necessary.

When a tenant's application to dispute a landlord's notice to end a tenancy is dismissed, s. 55 of the *Act* requires me to grant an order of possession if the landlord's notice to end a tenancy complies with section 52 of the *Act*.

I find that the Two Month Notice complies with section 52 of the *Act* and that it is valid. Therefore, I find that the landlords are entitled to an order of possession, pursuant to section 55 of the *Act*.

The landlords agreed to allow the tenancy to continue until May 31, 2017, although the effective date on the Two Month Notice is May 30, 2017. In any event, I would have

corrected the effective date on the Two Month Notice by changing it to May 31, 2017, pursuant to section 53 of the *Act*. Therefore, the order of possession will be effective on May 31, 2017 at 1:00 p.m.

### Conclusion

The tenant's application is dismissed as it is no longer necessary.

Pursuant to section 55, I grant an Order of Possession to the landlords effective May 31, 2017 at 1:00 p.m. This Order must be served upon the tenant. Should the tenant fail to comply with this Order, this Order may be filed 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: May 12, 2017

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Residential Tenancy Branch