



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OPL

Introduction

This is the Landlord's Application for Dispute Resolution seeking an Order of Possession. This matter was scheduled to be heard by teleconference at 11:00 a.m., June 22, 2017, and concluded after 20 minutes. Neither Tenant signed into the teleconference.

The Landlord attended the Hearing and gave affirmed testimony. The Landlord testified that he served the Tenants with the Notice of Hearing documents by posting the documents to the door of the rental unit on May 12, 2017, with a witness present.

The Landlord did not provide a copy of the Notice to End Tenancy for which he seeks an Order of Possession. He testified that he has lost his copy. I explained to the Landlord that I could not confirm the validity of the Notice to End Tenancy, and whether it complies with Section 52 of the Act, without a copy of the Notice.

The Landlord testified that he had reached a mutual agreement to end the tenancy with the Tenant CM on May 3, 2017. The Landlord provided a copy of a document entitled "Moving Out" in evidence; however, this document does not comply with Section 52 of the Act and the Landlord's Application for Dispute Resolution does not seek an Order of Possession based on a mutual agreement to end the tenancy.

For the reasons set out above, I dismissed the Landlord's Application. The Landlord is advised to speak to an Information Officer with respect to possible remedies under the Act.

Conclusion

The Landlord's Application is dismissed. The tenancy will continue until it is ended in accordance with the provisions of the Act.

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 23, 2017

Residential Tenancy Branch