



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR ERP OLC

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on January 15, 2018 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order cancelling a notice to end tenancy for unpaid rent or utilities;
- an order that the Landlord make emergency repairs for health or safety reasons; and
- an order that the Landlord comply with the *Act*, regulation, and/or the tenancy agreement.

The Tenant attended the hearing on her own behalf. The Landlord attended the hearing on his own behalf. Both the Tenant and the Landlord provided a solemn affirmation at the beginning of the hearing.

Settlement

At the outset of the hearing, the Tenant advised that she moved out of the rental unit on or about March 1, 2018, and left the keys behind. She confirmed rent has not been paid in 2018. In any event, the Landlord was unaware that the Tenant had moved out and asked if he could take possession of the rental unit. The Tenant agreed.

After hearing the parties' oral testimony and submissions, they were advised that the Tenant's Application is moot as she has vacated the rental unit. As the Landlord was uncertain about the status of the rental unit, and pursuant to section 63 of the *Act*, the parties agreed the Landlord was entitled to an order of possession, effective March 2, 2018. Accordingly, with the agreement of the parties, I grant the Landlord an order of possession, effective March 2, 2018, at 1:00 p.m.

The parties remain at liberty to apply for any monetary relief to which they may be entitled at a later date, as appropriate.

Conclusion

In accordance with the agreement between the parties, and pursuant to section 55 of the *Act*, I grant the Landlord an order of possession, which will be effective on March 2, 2018, at 1:00 p.m. The order 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: March 2, 2018

Residential Tenancy Branch