



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNR, MNDC, RP, FF

Introduction

This hearing dealt with an application by the tenant for an order to set aside a notice to end tenancy for nonpayment of rent, for a monetary order for loss under the *Act* and for the recovery of the filing fee and for an order directing the landlord to carry out repairs.

This matter was set for a conference call hearing at 9:30 a.m. on this date. The landlord called in on time. The tenant called in at 9:39 a.m. Both parties were given full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The parties represented themselves.

As both parties were in attendance, I confirmed service of documents. The parties confirmed receipt of each other's evidence. I find that the parties were served with evidentiary materials in accordance with sections 88 and 89 of the *Act*.

The tenant stayed on the conference call for approximately 7 minutes and left the conference call when the issue of the amount of rent owed from the past, came up.

However prior to leaving the hearing by conference call the tenant agreed that she owed rent in the amount of \$1,450.00 for the month of August 2019 plus \$200.00 for unpaid rent for July 2019. The tenant also agreed that on July 24, 2019, the parties came to a mutual agreement to end tenancy effective August 31, 2019. A copy of the signed agreement was filed into evidence.

Since the tenant voluntarily left the hearing by conference call, her application is dismissed without leave to reapply.

Analysis

Section 44(1)(c) of the *Residential Tenancy Act* states that a tenancy may end if the landlord and tenant agree in writing to end the tenancy.

In this case the parties signed an agreement to end the tenancy effective August 31, 2019. Under the provisions of section 55, I issue an order of possession to the landlord effective this date. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Conclusion

I grant the landlord an order of possession effective by **1:00pm on August 31, 2019**.

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: August 15, 2019

Residential Tenancy Branch