



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPN, OPM

The Application for Dispute Resolution filed by the landlord seeks an Order for Possession based on the tenant's Notice to End Tenancy and a Mutual Agreement to End the Tenancy.

The tenant(s) failed to appear at the scheduled start of the hearing which was 11:00 a.m. on October 29, 2019. A representative of the landlord was present and ready to proceed. I left the teleconference hearing connection open and did not start the hearing until 10 minutes after the schedule start time in order to enable the tenant to call in. The tenant(s) failed to appear. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I then proceeded with the hearing. The representative of the landlord was given a full opportunity to present affirmed testimony, to make submissions and to call witnesses.

On the basis of the solemnly affirmed evidence presented at the hearing a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution and Notice of Dispute Resolution Hearing was personally served on the tenant on September 6, 2019. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided:

The issue to be decided is whether the landlord is entitled to an Order for Possession?

### Background and Evidence:

The parties entered into a written tenancy agreement that provided that the tenancy would start on March 1, 2017. The present rent is \$700 per month payable on the first day of each month. The tenant paid a security deposit of \$350 and a pet damage deposit of \$350 at the start of the tenancy.

On August 16, 2019 the tenant gave the landlord notice in writing that she was vacating the rental unit on October 1, 2019. The landlord and tenant signed a mutual agreement to end a tenancy on the same day.

The tenant has failed to vacate the rental unit. The tenant did not pay the rent for October.

Analysis - Order of Possession:

I determined the landlord was entitled to an Order for Possession. The parties mutually agree to end the tenancy on October 1, 2019. There is outstanding rent for October 2019. Accordingly, I granted the landlord an Order for Possession on 2 days notice.

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

**This decision is final and binding on both parties.**

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: October 29, 2019

---

Residential Tenancy Branch