



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

ET, FFL

Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession, for an early end to the tenancy, and to recover the fee for filing this Application for Dispute Resolution.

The Landlord stated that on December 16, 2019 the Dispute Resolution Package and evidence the Landlord submitted to the Residential Tenancy Branch on December 11, 2019 were personally served to the Tenant. On the basis of this undisputed testimony, I find that these documents have been served to the Tenant in accordance with section 89 of the *Residential Tenancy Act (Act)*.

On December 22, 2019 the Landlord submitted additional evidence to the Residential Tenancy Branch. The Landlord stated that this evidence was personally served to the Tenant on December 22, 2019. On the basis of this undisputed testimony, I find that these documents have been served to the Tenant in accordance with section 88 of the *Act* and it was accepted as evidence for these proceedings.

On January 03, 2020 the Landlord submitted additional evidence to the Residential Tenancy Branch. The Landlord stated that this evidence was not served to the Tenant as the Tenant has moved, without providing a forwarding address. As this evidence has not been served to the Tenant, it was not accepted as evidence for these proceedings.

Issue(s) to be Decided

Should this tenancy end early and, if so, should the Landlord be granted an Order of Possession?

Background and Evidence

The Landlord stated that the parties signed a mutual agreement to end this tenancy, in which they agreed the tenancy would end on December 31, 2019.

The Landlord stated that the rental unit was fully vacated on January 03, 2020 and that he now has possession of the rental unit.

The Landlord stated that he wishes to withdraw his Application for Dispute Resolution, given that the rental unit has been vacated.

Analysis

I find that the Landlord has withdrawn this Application for Dispute Resolution.

Conclusion

At the hearing the Landlord withdrew this Application for Dispute Resolution.

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: January 06, 2020

Residential Tenancy Branch