



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPL, OPB

Introduction

This hearing dealt with an application by the landlord pursuant to section 55 of the *Residential Tenancy Act*. The landlord applied for an order of possession.

The notice of hearing was served on the tenant on October 01, 2020, in person. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

At the start of the hearing the landlord informed me that the tenant had moved out the previous night and he has gained possession of the unit. The landlord requested that an order of possession be granted to him.

Issues to be decided

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord testified that the tenancy started on January 09, 2020. The monthly rent is \$2272.72 payable on the first of each month.

Prior to moving in, on January 07, 2020, the tenant signed a mutual end to tenancy agreement with an effective date of November 30, 2020. A copy of the mutual end to tenancy agreement signed by both parties was filed into evidence.

Pursuant to the agreement, I grant the landlord an order of possession effective 2 days after service on the tenant. 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 two days after service on the tenant.**

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: December 01, 2020

Residential Tenancy Branch