



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding The Corporation of the Township of
Langley and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPM

Introduction

This hearing dealt with a landlord's application for an Order of Possession based on a *Mutual Agreement to End a Tenancy*.

The landlord's agent appeared; however, there was no appearance on part of the tenant. The landlord's agent was affirmed and ordered not to make an unofficial recording of the proceeding. Since the tenant did not appear, I explored service of the hearing documents upon the tenant.

The landlord's agent testified that the proceeding package and the landlord's evidence was sent to the tenant via registered mail on March 12, 2021 at the rental unit address and Canada Post confirmed delivery on March 16, 2021. The landlord orally provided the registered mail tracking number as proof of service and I have recorded the tracking number on the cover page of this decision.

I was satisfied the landlord duly served the tenant with notification of this proceeding in a manner that complies with the Act and I continued to hear from the landlord without the tenant present.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession?

Background and Evidence

The landlord is a township and purchased the subject property from the tenant for the purpose of constructing a school and parkland. The landlord and the tenant entered into a one year fixed term tenancy on May 1, 2020 for a one-year fixed term tenancy set

to commence on July 1, 2020. The tenant is required to pay rent of \$1700.00 per month and no security deposit was required. On June 19, 2020 the parties executed a *Mutual Agreement to End a Tenancy* to be effective at 4:00 p.m. on June 30, 2021.

As a precautionary measure to ensure the planned project proceeds without delay, the landlord seeks an Order of Possession based on the mutual agreement.

Documentary evidence provided by the landlord included a copy of the tenancy agreement and the executed *Mutual Agreement to End a Tenancy*.

Analysis

This application is being made under section 55(2)(d) of the Act, which provides:

(2) A landlord may request an order of possession of a rental unit in any of the following circumstances by making an application for dispute resolution:

...

(d) the landlord and tenant have agreed in writing that the tenancy is ended.

Upon review of the documentary evidence and the unopposed submissions of the landlord, I accept that that parties agreed, in writing, that the tenancy would end effective at 4:00 p.m. on June 30, 2021. Accordingly, I find the landlord entitled to an Order of Possession to be effective at 4:00 p.m. on June 30, 2021 as requested and I provide such an order to the landlord with this decision.

Conclusion

The landlord is provided an Order of Possession effective at 4:00 p.m. on June 30, 2021 in keeping with the *Mutual Agreement to End a Tenancy* executed by the 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: June 01, 2021

Residential Tenancy Branch