



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CAPILANO PROPERTY MANAGEMENT SERVICES LTD and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, FF

Introduction

On March 15, 2021, the Landlord submitted an Application for Dispute Resolution requesting an order of possession for the rental unit based on an undisputed notice to end tenancy.

This matter was set for hearing by telephone conference call at 1:30 pm on this date. The Landlords agents (“the Landlord”) attended the hearing; however, the Tenant did not. The Landlord stated that the Tenant died two weeks prior to this hearing.

The Landlord stated that the Tenants next of kin attended the rental unit and removed all of her possessions. The keys to the rental unit were turned in to the Landlord and the tenancy ended last week.

Section 55 of the Act provides that a Landlord may request an order of possession of a rental unit when a notice to end tenancy is given by a Landlord and the Tenant has not disputed the Notice and the time for making that application has expired.

The Landlord stated that they do not need an order of possession for the rental unit. The Landlord withdrew the application for an order of possession for the rental unit in its entirety.

Conclusion

The Landlord withdrew the Application for Dispute Resolution requesting an order of possession for the rental unit based on an undisputed notice to end tenancy.

The tenancy already ended when the Tenant’s next of kin removed the Tenant’s personal items and returned the unit keys to the Landlord.

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 22, 2021

Residential Tenancy Branch