



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for:

- an order of possession for landlord's use of property pursuant to section 55.

The landlord attended the hearing via conference call and provided undisputed affirmed testimony. The tenant did not attend or submit any documentary evidence.

The landlord was advised that the conference call hearing was scheduled for 60 minutes and pursuant to the Rules of Procedure, Rule 6.11 Recordings Prohibited that recording of this call is prohibited.

The landlord with the assistance of his spouse, N.P. stated that the tenant was served with the notice of hearing package in person on May 3, 2021. The landlord also stated that the tenant was served with the landlord's submitted documentary evidence via Canada Post Registered Mail on August 23, 2021. I accept the undisputed affirmed evidence of the landlord and find that the tenant was properly served as per sections 88 and 89 of the Act with the landlord's notice of hearing package and the submitted documentary evidence.

During the hearing the landlord provided conflicting and contradictory testimony concerning the 2 month notice to end tenancy and a mutual agreement to end the tenancy. Extensive discussion took place in which after 58 minutes the landlord chose to withdraw his application for dispute. As such, no further action is required at this time.

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: September 07, 2021

Residential Tenancy Branch