



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Parties	File No.	Codes:
(Tenants) I.I. and Y.I.	310074870	CNL, FFT
(Landlords) P.M. and V.M.	310075975	OPL

Introduction

This hearing dealt with cross applications for Dispute Resolution under the *Residential Tenancy Act* ("Act") by the Parties.

The Tenants applied for:

- an Order cancelling a Two Month Notice to End the Tenancy for Landlord's Use, dated May 30, 2022 ("Two Month Notice"); and
- recovery of their \$100.00 application filing fee.

The Landlords applied for:

- an Order of Possession, further to having served the Two Month Notice.

The Tenant, Y.I., and the Landlords, V.M. and P.M., appeared at the teleconference hearing and gave affirmed testimony. The Tenant, I.I., called into the hearing for the last ten minutes.

I explained the hearing process to the Parties and gave them an opportunity to ask questions about the hearing process. During the hearing the Tenants and the Landlords were given the opportunity to provide their evidence orally and respond to the testimony of the other Party. I reviewed all oral and written evidence before me that met the requirements of the Residential Tenancy Branch ("RTB") Rules of Procedure; however, only the evidence relevant to the issues and findings in this matter are described in this decision.

The Tenant said that her family has moved out of the rental unit as of today, November 1, 2022. The Landlords said they were still seeking an order of possession, because they do not have keys yet, and they do not know for sure that the Tenants have moved out. During the hearing, the Parties agreed to meet in front of the building that day at 5:00 p.m. in order to do a move-out inspection and for the Tenants to provide the Landlords with the keys.

In addition, the Tenant gave the Landlords her family's forwarding address in the hearing. She had no opposition to my granting the Landlord an order of possession, as she said they have moved out. As such, I **dismiss the Tenants' application without leave to reapply**.

Accordingly, I grant the Landlords an **Order of Possession** of the rental unit, pursuant to **section 55 of the Act**, and because the Parties agreed to this. The Order of Possession is provided to the Landlords and will be **effective two days after service** on the Tenants, if necessary.

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: November 01, 2022

Residential Tenancy Branch