



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **OPL, FFL**

### Introduction

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

1. An Order of Possession for a Two Month Notice to End Tenancy For Landlord's Use of Property (the "Two Month Notice") pursuant to Sections 49, 55 and 62 of the Act; and,
2. Recovery of the application filing fee pursuant to Section 72 of the Act.

The hearing was conducted via teleconference. The Landlord, Support and one Tenant attended the hearing at the appointed date and time. Both parties were each given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

Both parties were advised that Rule 6.11 of the Residential Tenancy Branch (the "RTB") Rules of Procedure prohibits the recording of dispute resolution hearings. Both parties testified that they were not recording this dispute resolution hearing.

At the outset of the hearing, the Landlord's Support testified that the Tenants vacated the rental unit on October 6 or 7, 2022. The Tenant confirmed that she did vacate on October 6, 2022. I find the tenancy ended pursuant to Section 44(1)(v) of the Act in accordance with the Two Month Notice.

The Landlord still seeks an Order of Possession which I grant. I decline to grant recovery of the application filing fee as the Tenants have already vacated the rental unit.

For the benefit of the Landlord, the Landlord may wish to discuss with an Information Officer at the RTB the options available to him to finalize any outstanding monetary claims. An Information Officer can be reached at:

5021 Kingsway  
Burnaby, BC  
Phone: 250-387-1602 / 1-800-665-8779  
Website: <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies>

### Conclusion

I grant an Order of Possession to the Landlord effective on December 19, 2022. The Landlord must serve this Order on the Tenants if needed and as soon as possible. Should the Tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

I do not grant recovery of the application filing fee 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 Act.

Dated: December 19, 2022

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Residential Tenancy Branch