



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: 0

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession, pursuant to a notice to end tenancy served on the landlord by the tenant.

The notice of hearing was served on the tenant in person at the rental unit, by the building manager. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions

Issues to be decided

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord testified that the tenancy started approximately eight years ago. The accommodation is subsidised housing and is allotted and rented based on a tenant's income and family size. The tenant's portion of the rent is \$557.00 payable in advance, on the first of each month.

In June 2011 the landlord served the tenant with a notice to end tenancy for cause. Initially the tenant disputed the notice, but subsequently changed his mind and decided to move out. The tenant completed and signed a notice to the landlord to end the tenancy effective September 30, 2011. The landlord filed a copy of this notice. The landlord has applied for an order of possession effective this date.

Analysis

Based on the undisputed testimony and documentary evidence of the landlord, I find that the tenant has served a notice to end tenancy effective September 30, 2011. Therefore, I find that the landlord is entitled to an order of possession and pursuant to section 55(2); I am issuing a formal order of possession effective on or before 1:00 p.m. on September 30, 2011. The Order may be filed in the Supreme Court for enforcement.

Conclusion

I grant the landlord an order of possession effective on or before 1:00 p.m. on September 30, 2011.

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: August 24, 2011.

Residential Tenancy Branch