



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPB

Introduction

This hearing dealt with an application by the landlord for an order of possession. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on October 17, 2011. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlord gave affirmed evidence.

Issues to be Decided

Is the landlord entitled to an order of possession?

Background and Evidence

The tenancy began on or about July 25, 2005. Rent in the amount of \$280.00 is payable in advance on the first day of each month. The landlord issued a Notice to End Tenancy on July 4, 2011. The landlord testified to the following; the tenant is a "hoarder" and has made the home unsafe with clutter and is a fire hazard, would rather the tenant just move and not have to seek an order of possession, and that she would rather work on a resolution with the tenant than deal with a hearing.

Analysis

The landlord supplied some copies of photos for the hearing. The photos were of a very poor quality and not helpful. The landlord also provided a signed tenancy agreement for the hearing; however the landlord did not provide any supporting evidence that the tenant had breached any of the conditions.

Conclusion

The landlord's application is dismissed.

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 21, 2011.

Residential Tenancy Branch