



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET

### Introduction

This teleconference hearing was scheduled in response to an application by the Landlord under the *Residential Tenancy Act* (the “Act”) for an Order of Possession to end the tenancy early, pursuant to Section 56 of the *Act*.

The Landlord and the Landlord’s spouse (the “Landlords”) were present for the teleconference hearing while no one called in for the Tenant during the approximately 10-minute duration of the hearing. The Landlords were affirmed to be truthful in their testimony and stated that the Tenant was served with the Notice of Dispute Resolution Proceeding package and a copy of their evidence by registered mail as well as in person.

The Landlords submitted a photo showing in person service and a copy of the registered mail receipt. The registered mail tracking number is included on the front page of this decision. Entering the tracking number on the Canada Post website confirms that the package was sent on April 10, 2019 and signed for by the Tenant on April 26, 2019. Therefore, I find that the Tenant was duly served in accordance with Sections 88 and 89 of the *Act*.

### Issue to be Decided

Is the Landlord entitled to an Order of Possession to end the tenancy early pursuant to Section 56 of the *Act*?

### Background and Evidence

The Landlords testified that the Tenant moved out of the rental unit on April 30, 2019. They stated that although they were not aware he was moving out, they saw him moving items out of the rental unit on their security camera. However, they stated that this was confirmed when the Tenant returned the keys by giving them to another tenant on the residential property. The Landlords stated that they have since entered the rental unit and confirmed that it was empty. As such, the Landlords stated that they are satisfied that they have possession of the rental unit back and are therefore no longer seeking an Order of Possession.

The Landlords confirmed their intent to withdraw this Application for Dispute Resolution.

### Analysis

I accept the testimony of the Landlords and find that the tenancy has ended, and the Landlords have possession of the rental unit back. Therefore, I accept that the Landlord's application for an Order of Possession has been withdrawn.

### Conclusion

The tenancy has ended. The Application for Dispute Resolution was withdrawn by 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 *Residential Tenancy Act*.

Dated: May 03, 2019

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Residential Tenancy Branch