



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## DECISION

Dispute Codes: CNC, FF

### Introduction

This was an application by the tenant to cancel a Notice End Tenancy for Cause. The hearing was conducted by conference call. The tenant and the landlord participated in the hearing.

### Background and Evidence

The tenancy commenced July 17, 2008. The rental unit is a self contained suite in the lower portion of the landlord's house. The landlord gave the tenant a one month Notice to End Tenancy for cause dated August 28, 2008. The Notice alleged that the tenant significantly interfered with or unreasonably disturbed the landlord, and had seriously jeopardized the health or safety or lawful right of the landlord. The Notice also alleged that the tenant had breached a material term of the tenancy agreement. The landlord's complaints were primarily concerned with damage said to have been caused by the tenant's dogs. The landlord testified that the dogs had urinated inside the rental unit and regularly urinated and defecated in a patio area outside the rental unit. During the hearing the tenant advised that, notwithstanding that she had applied to cancel the Notice to End Tenancy, she intended to vacate the rental unit because of her disagreements with the landlord and her complaints about the landlord's conduct; she testified that she had plans in place to move out before September 30, 2008. The tenant did not object to the issuance of an order for possession effective September 30, 2008. The landlord testified that rent for September had not been paid and that she had issued a 10 day Notice to End Tenancy for non-payment of rent. During the hearing I advised the landlord that I could not grant her a monetary order in the absence of a landlord's Application for Dispute Resolution advancing such a claim.

Conclusion

Based on the evidence presented I find that the landlord is entitled to an order for possession effective September 30, 2008 after service on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

Dated September 15, 2008.