



Dispute Resolution Services

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

Dispute Codes: ET, FF

Introduction

This matter dealt with an application by the landlords for an order ending a tenancy early pursuant to s. 56 of the *Residential Tenancy Act*. The application alleges that the tenant has made threats towards and has significantly disturbed other tenants, and that it would be unreasonable to wait for an notice to end tenancy to take effect.

The landlord was present at the hearing which was held via teleconference. There was no appearance at the hearing by the tenant. The landlord gave evidence at the hearing that he personally served the tenant with the application for dispute resolution and the notice of the hearing on October 3, 2008. I am satisfied that the tenant has been lawfully served notice of this hearing, and that the hearing will proceed in his absence.

Issue(s) to be Decided

Is the landlord entitled to an order of possession and an early end to tenancy based upon the alleged conduct of the tenant?

Background and Evidence

The landlord has supplied documentary evidence prior to the hearing related to the conduct of the tenant. This includes statements from the other tenants in the rental unit, neighbours and both of the landlords.

The statements describe a pattern of recent behaviour which includes loud noise at night, the use of obscene language to other tenants, verbal threats and physically threatening behaviour to other tenants. This behaviour as described has significantly

disturbed the other tenants and neighbours and caused them to feel fear for their personal safety.

The landlord has requested an immediate order of possession.

Analysis

I accept the evidence of the landlord at the hearing and that contained in the written statements of the alleged victims in this matter. I agree that the behaviour is significant and that the landlord should not be required to wait for a notice to end tenancy to take effect.

Conclusion

I grant the landlord an immediate order of possession. The order must be served upon the tenant, and the tenant must vacate the premises within two days after service of the order. The order may be filed with and enforced as an order of the Supreme Court of British Columbia.

I also grant the landlord a monetary order in the amount of \$50.00 for the cost of the filing fee of this application. This order may be filed with and enforced as an order of the Provincial Court of British Columbia.

Dated: October 10, 2008