



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

### Dispute Codes:

ET, FF

### Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has applied to end the tenancy early and for an Order of Possession and to recover the fee for filing this Application for Dispute Resolution from the Tenant.

Both parties were represented at the hearing. They were provided with the opportunity to present relevant oral evidence, to ask relevant questions, and to make relevant submissions to me.

### Issue(s) to be Decided

The issues to be decided are whether the Landlord is entitled to end this tenancy early and to an Order of Possession on the basis that the tenancy is ending early, pursuant to sections 56(1) of the *Residential Tenancy Act (Act)*, and to recover the fee for filing this Application for Dispute Resolution, pursuant to section 72(1) of the *Act*.

### Background and Evidence

The Agent for the Landlord and the female Tenant agree that sometime in the past 4-8 weeks the male Tenant demonstrated aggressive behaviour toward the Landlord's son when he placed his fist in front of the son's face and ordered him out of the rental unit after the son had been invited into the rental unit by the female Tenant. The parties further agree that the male Tenant threatened to kill the Landlord's son on, or about, June 05, 2009, although the female Tenant insisted that the threats were not serious.

The Agent for the Landlord and the female Tenant agree that the male Tenant was recently arrested for assaulting the female Tenant, and that there is currently a court Order prohibiting the male Tenant from attending at the rental unit. The parties agree that the male Tenant has been attending the rental unit on a regular basis, regardless of the court Order. The female Tenant stated that she intends to continue to have a relationship with the male Tenant and that they intend to reside together as soon as possible.



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At the hearing the female Tenant agreed that this tenancy should end due to the animosity between the male Tenant and the Landlord's son, who lives above the Tenants. At the hearing the Landlord and the female Tenant mutually agreed that the tenancy would end on June 30, 2009.

## Conclusion

Based on the mutual agreement to end this tenancy on June 30, 2009, I grant the Landlord an Order of Possession that is effective at 1:00 p.m. on June 30, 2009. This Order may be served on the Tenant, filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

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: June 09, 2009.

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Dispute Resolution Officer