



# **Dispute Resolution Services**

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

## **Decision**

**Dispute Codes:** ET

### **Introduction**

This hearing dealt with the landlord's application for an early end to tenancy and an order of possession. The landlord's agent participated in the hearing and gave affirmed testimony. Despite being served in person on June 17, 2009 with the application for dispute resolution and notice of hearing, the tenant did not appear.

### **Issue to be decided**

- Whether the landlord is entitled to an early end to tenancy and an order of possession

### **Background and Evidence**

There was no copy of a written residential tenancy agreement submitted into evidence for this month-to-month tenancy which began about 8 or 9 years ago. The tenant's portion of monthly rent is presently \$296.00, and it is payable on the first day of the month. A security deposit of \$350.00 was collected at the start of tenancy.

The landlord's agent testified to the nature of on-going problems associated with the tenancy which include, but are not limited to, excessive coming and going of visitors in the unit, drug transactions and drug use, fighting, unrestricted access given to those not resident in the building, threats to the safety and wellbeing of other residents in the building, calls to police and so on. Evidence submitted by the landlord included various documentation in support of the application.

## **Analysis**

Despite the tenant's failure to appear at the hearing, based on the documentary evidence and undisputed testimony of the landlord's agent, I find that the tenant was properly served with the application for dispute resolution and notice of hearing package.

Section 56 of the Act addresses **Application for order ending tenancy early**, and provides in part, that if an order is made under this section, "it is unnecessary for the landlord to give the tenant a notice to end the tenancy." The full text of the legislation is accessible on the website: [www.rto.gov.bc.ca/](http://www.rto.gov.bc.ca/)

In consideration of the documentary evidence and undisputed testimony of the landlord's agent, I find that the landlord has established entitlement to an early end to tenancy and an order of possession consistent with the requirements set out in the legislation.

## **Conclusion**

Pursuant to all of the above, I hereby issue an order of possession in favour of the landlord to be effective not later than **two (2) days** after service upon the tenant. This order must be served on the tenant. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

DATE: June 25, 2009

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Dispute Resolution Officer