



# Dispute Resolution Services

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

## **Decision**

**Dispute Codes:** ET, OPC

## **Introduction**

This hearing dealt with the landlord's application for an order to end tenancy early and obtain an order of possession. Both parties participated in the hearing and gave affirmed testimony.

## **Issues to be decided**

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

## **Background and Evidence**

There is no written residential tenancy agreement in evidence for this tenancy which is understood to have been ongoing for approximately 5 years. The landlord issued a 1 month notice to end tenancy for cause dated June 23, 2009. A copy of the notice was submitted into evidence. The date shown on the notice by when the tenant must vacate the unit is July 31, 2009. Reasons shown on the notice for its issuance are as follows:

Tenant or a person permitted on the property by the tenant has:

significantly interfered with or unreasonably disturbed another occupant or the landlord

The tenant did not apply to dispute the notice within 10 days after being served.

Subsequent to issuance of the notice, as a result of the tenant's conduct and behaviour towards other tenants on July 8, 2009, police were called. This led to the landlord's application to end tenancy early and obtain an order of possession.

During the hearing the parties exchanged views on the circumstances surrounding the dispute and undertook to find a resolution.

### **Analysis**

Pursuant to section 63 of the Act, discussion between the parties during the hearing led to a resolution of the dispute. Specifically, it was agreed as follows:

- that the tenant will vacate the unit by no later than 1:00 p.m., July 31, 2009, and that an *order of possession* will be issued to the landlord to that effect;
- that, in the meantime, the tenant undertakes to conduct himself in a manner that is not in any way offensive or threatening to other tenants.

### **Conclusion**

Pursuant to all of the above, I hereby issue an order of possession in favour of the landlord effective not later than 1:00 p.m., July 31, 2009. 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: July 22, 2009

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Dispute Resolution Officer