

DECISION

Dispute Codes: MT, CNC

This hearing dealt with the tenant's application to cancel the notice to end tenancy for cause.

At the outset of the hearing, the tenant withdrew his application to allow him more time to make an application to cancel the notice to end tenancy as he had filed the application on time.

The tenancy began sometime in the spring of 2002. On June 27, 2009, the landlord served the tenant with a notice to end tenancy for cause. One of the reasons given by the landlord for ending the tenancy was as follows.

Approximately 2 years ago, the tenant installed a large chain on his entry door thus jeopardizing the landlord's right of access to the unit. The landlord's claim in this regard is supported by two photos submitted by the tenant for the hearing. During the past 2 years, the landlord had repeatedly asked the tenant to remove the chain and repair the door. Three of such requests were in writing. The landlord submitted the latest written request dated March 17, 2009 as supporting evidence for the hearing. The tenant had consistently refused to remove the chain and repair the door despite the landlord's requests. I note that during the hearing, the tenant again refused to remove the chain.

Based on the above, I find that the tenant has seriously jeopardized the landlord's lawful right of access to the unit. Accordingly, I also find that the landlord has established sufficient ground to end this tenancy. I therefore dismiss the tenant's application. I have not considered the other grounds enumerated in the notice to end tenancy.

During the hearing, the landlord requested for an order of possession. Based on the above facts, I find that the landlord is entitled to an order of possession. The tenant must be served with the order of possession. 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.

Dated August 20, 2009.