



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes ET, FF

Introduction

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on October 7, 2009, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for an early end to the tenancy and a request for immediate Order of Possession. The applicant had also requested a monetary order of \$3750.00 plus the filing fee of \$50.00; however at the hearing the applicant stated that he no longer wishes to pursue the monetary portion of the claim as he does not believe he will ever collect it.

Therefore since the monetary claim has been withdrawn I will deal with a request for an early end to the tenancy and the Order of Possession only.

Background and Evidence

The applicants testified that;

- On September 2, 2009 the tenant was handed a 10 day Notice to End Tenancy for non-payment of rent.

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- The tenant has still not paid the full September 2009 rent.
- The tenant and/or his invited guests are causing extensive damage to the rental unit, including broken doors smashed windows and severe wall damage.
- The respondent's violent behaviour is unreasonably disturbing the other tenants in the rental property and many of the tenants feel frightened and intimidated by the respondent and fear for their safety.

The applicant is therefore requesting an early end to the tenancy and an immediate Order of Possession.

Analysis

It is my decision that the landlord has supplied ample evidence to show that the respondent is a risk to the safety of the other tenants in the rental unit and that the respondent is causing extreme damage to the rental property.

It would not be reasonable to allow this tenancy to continue any longer.

Conclusion

I allow the applicants request for an early end to the tenancy and have issued an Order of Possession for 12:00 noon October 19, 2009.

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: October 19, 2009.

Dispute Resolution Officer