



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes ET, FF

Introduction

Some documentary 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 which was posted on the respondent's door on November 9, 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, an Order of Possession, and for an order for the respondent bear the \$50.00 cost of the filing fee paid for this hearing.

Background and Evidence

The applicant testified that:

- He has had numerous complaints from the other tenants in the rental complex about the respondent openly making drug deals in the driveway of the rental unit.
- The other tenants fear for their safety due to the fact that some of the people involved in the drug deals are extremely unsavoury and have on occasion acted in a very loud, obnoxious, and even violent manner.

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- The tenants in the adjoining rental unit have also stated that they are unable to use a portion of their rental unit due to smoke from crack cocaine filtering over from the dispute residence.

The applicant is therefore requesting an early end to this tenancy as he fears for the safety of his other tenants and for the safety of the rental unit itself.

Analysis

It is my decision that the applicant has shown, on the balance of probabilities, that there is a legitimate concern for the safety and well-being of the other tenants in the rental property if this tenancy is allowed to continue any longer.

The fact that the activity of the tenant has attracted violence to the rental property is a real concern and therefore I allow the landlords request for an early into this tenancy.

Conclusion

I have ordered an early into this tenancy and have issued an Order of Possession to the landlords for two days after service on the respondent. I further ordered that the respondent bear the \$ 50.00 cost of the filing fee paid for this hearing.

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: November 17, 2009.

Dispute Resolution Officer