



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      ET

### Introduction

This hearing dealt with an application by the landlord for an order ending this tenancy early. Despite having been personally served with the application for dispute resolution and notice of hearing on July 15, the tenants did not participate in the conference call hearing.

### Issue to be Decided

Is the landlord entitled to an order ending this tenancy early?

### Background and Evidence

The landlord's undisputed testimony is as follows. The tenants have been operating what the landlord's agent describes as a drug house, with a steady stream of street people accessing the rental unit for illegal activity. The tenants and their guests have disturbed other tenants and neighbouring buildings through excessive noise, fighting and a flow of traffic into the rental unit. The tenants and their guests have used drugs in the common areas of the buildings. A front window of the building was smashed by one of the tenants' guests and the police are frequently called to attend at the building.

There are a number of neighbouring tenants who wrote letters attesting to the excessive noise caused by the tenants and their guests and the landlord's agent testified that several tenants were too frightened to testify or submit a letter. In particular, one tenant who had been threatened by the tenants was not willing to testify.

The landlord has been threatened by the tenants, having been told that if he evicted them they would make his life difficult. The landlord testified that he is afraid to work in his office in the building.

### Analysis

I accept the undisputed testimony of the landlord and his agent. I am satisfied that the behaviour of the tenants and their guests has unreasonably disturbed other occupants and seriously jeopardized the safety of other occupants and the landlord.

In the circumstances it would be unreasonable and unfair to require the landlord to wait for a notice to end the tenancy under s. 47 and therefore I find that the landlord is entitled to an order for possession. A formal order has been issued and may be filed in the Supreme Court and enforced as an order of that Court.

### Conclusion

The landlord is granted an order of possession.

Dated: August 12, 2010

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Dispute Resolution Officer