

## **DECISION**

### **Dispute Codes**

ET

### **Introduction**

This hearing was convened in response to an application by the landlord for an early end to the tenancy as per section 56 of the Residential Tenancy Act (the Act).

I accept the landlord's evidence that despite the tenant having been served with the application for dispute resolution and notice of hearing by posting on the tenant's door, in accordance with Section 89 of the Residential Tenancy Act (the Act), the tenant did not participate in the conference call hearing.

### **Issue(s) to be determined**

Does the landlord have sufficient cause to end the tenancy early?

### **Background and Evidence**

The landlord advised that the tenant has been in hospital for the past two (2) weeks for personal reasons and that the tenant has advised the landlord that he is vacating imminently and may not return to the rental unit – as someone advised the attending landlord that they were picking up the tenant's belongings.

The landlord claims the tenant attacked another tenant and generally causes stress for the landlord's staffs. The landlord did not provide any supporting document evidence, or corroborating evidence, or rationale as to why the tenant should be made to vacate earlier than the provisions for ending a tenancy set out under Section 47 of the Act.

### **Analysis**

In this type of application the onus is on the landlord to prove they have cause to end the tenancy and that it would be unreasonable or unfair to the landlord or other occupants of the residential property to wait for the landlord's Notice to End for Cause to take effect, as provided by Section 47 of the Act..

The landlord has not met the burden of proving that it would be unreasonable or unfair to the landlord or other occupants of the residential property to wait for the landlord's Notice to End for Cause to take effect. As a result, the landlord's application is **dismissed**, with leave to reapply.

### **Conclusion**

The landlord's application is **dismissed**.

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*.