



Dispute Resolution Services

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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 the tenancy early and an order of possession. Although the landlord served the tenant with the Application for Dispute Resolution and Notice of Hearing in person in the company of a police officer on October 7, 2010, the tenant failed to appear for the hearing.

Issues(s) to be Decided

Is the landlord entitled to an order ending the tenancy early?
Is the landlord entitled to an order of possession?

Background and Evidence

This tenancy began in January 2010. The rental unit was originally inhabited by the landlord's son but subsequently became the residence of the tenants after the landlord's son was incarcerated. Mr. H testified that the rental unit has become a centre of activity for late night parties, drug use, fights and so on. The police attend at the residence regularly. The landlord also submitted dozens of photographs of the rental unit showing that the unit is being badly damaged by the tenants. There are holes in the walls, writing, spray paint and turpentine all over the walls and extensive damage to the carpets.

Analysis & Conclusion

Based on the evidence before me, I am satisfied pursuant to Section 56 that the tenants have (a) seriously jeopardized the health or safety or a lawful right or interest of the landlord or another occupant; and (b) put the landlord's property at significant risk. In the circumstances I find that it would be unreasonable and unfair to the landlord to wait for a notice to end tenancy under section 47 to take effect.

I therefore grant the landlord an order ending the tenancy early. I also grant the landlord an order of possession effective two days from the date of service. This order

may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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*.