



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

**Dispute Codes:** ET & FF.

### **Introduction:**

This is the Landlord's application to end this tenancy early pursuant to the provisions of Section 56 of the Residential Tenancy Act (the "Act"), and to recover the cost of the filing fee from the Tenant.

### **Issue to be Determined:**

Has the Landlord shown that there is cause to end this tenancy and that it would be unreasonable or unfair to wait for a one month Notice to End Tenancy under the Act to take effect?

### **Background and Evidence:**

The parties were before a Dispute Resolution Officer on September 9, 2010, to consider the Tenant's application to cancel a One Month Notice to End Tenancy for Cause. On September 10, 2010, the Dispute Resolution Officer rendered a Decision granting the Tenant's application to cancel the One Month Notice to End Tenancy for Cause.

The Landlord seeks to end the tenancy early based on substantially the same evidence that was before the Dispute Resolution Officer on September 9, 2010.

### **Analysis:**

In making an application for an early end to this tenancy the Landlord has the burden of

proving that there is cause for ending the tenancy, such as unreasonably disturbing other occupants, seriously jeopardizing the health and safety or lawful right or interest of the landlord and placing the landlord's property at significant risk, and by proving that it would be unreasonable or unfair to the Landlord or other occupants to wait for a one month Notice to End Tenancy for cause under section 47 of the Act to take effect.

In its documentary evidence, the Landlord states that it would like to "request a review" of the Decision dated September 10, 2010, and that it strongly disagrees with the Decision.

During the Hearing, the Landlord's agents were advised of the procedure for filing an application to review a Decision as well as their right to apply for Judicial Review. On September 10, 2010, the Dispute Resolution Officer rendered a Decision to cancel a Notice to End Tenancy for Cause based on the same facts for which the Landlord now seeks to end the tenancy early. The matter has been heard and a Decision has been reached. I have no authority to change another Dispute Resolution Officer's Decision.

The Landlord's application is dismissed.

**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*.

Dated: October 04, 2010.

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