



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes ET, FF

Introduction

This hearing dealt with an application by the landlord for an order ending this tenancy early and recovery of the filing fee. Despite having been personally served with the application for dispute resolution and notice of hearing on October 4, the tenant 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 testified that on September 30 the tenant attempted to strike the landlord, cornered the landlord on the balcony of the rental unit and hit the television. The tenant had previously threatened the landlord at the end of April.

Analysis

I accept the undisputed testimony of the landlord. I find that the tenant attempted to assault the landlord on September 30 and on one other earlier occasion. I am satisfied that the tenant's behaviour has seriously jeopardized the safety of 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. I further order the tenant to pay to the landlord the sum of \$50 being the cost of the filing fee paid pursuant to section 59.

Conclusion

The landlord is granted an order of possession. The tenant is ordered to pay the landlord \$50.00 as the cost of the filing fee.

Dated: October 14, 2010

Dispute Resolution Officer