



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

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### Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution, seeking to end the tenancy early and obtain an order of possession, pursuant to section 56 of the Act.

The Landlord appeared, gave affirmed testimony and was provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me.

The Landlord testified he gave the Tenant a copy of the Application and Notice of this Hearing, by posting to the door of the rental unit. Despite this the Tenant did not appear at the hearing. I find the Tenant has been duly served in accordance with the Act.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Issue(s) to be Decided

Is the Landlord entitled to an early end of tenancy?

### Background and Evidence

The Landlord testified that on December 16, 2010, he attended the rental unit to speak with the Tenant. The Landlord found the entry door to the rental unit had been badly damaged. The Landlord entered the rental unit on an emergency basis with the building manager and found a few items of the Tenant, which appeared to be abandoned. There was also a crow bar on the floor of the rental unit by the damaged door.

The Landlord spoke with the building manager about his concerns and the police were called. The police obtained a search warrant for the rental unit and entered on or about December 16, 2010.



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The testimony of the Landlord was that the police found evidence that illegal drugs were in the rental unit. The police confiscated illegal drugs and other items associated with the drug trade.

The Landlord has not heard from the Tenant since before December 16, 2010.

## Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I am satisfied that the Tenant, or a person permitted on the residential property by the Tenant, has engaged in illegal activity which has caused damage to the Landlord's property, and that the Tenant, or a person permitted on the residential property by the Tenant, has caused extraordinary damage to the rental unit.

I also find it would be unreasonable and unfair to the Landlord or the other occupants to wait for a notice to end tenancy under section 47.

Therefore, pursuant to section 56, I grant the Landlord an order of possession for the rental unit, effective at **1:00 p.m. January 4, 2011**, and I grant and issue the order in this form. This order may be enforced through the British Columbia Supreme 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*.

Dated: January 04, 2011.

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Residential Tenancy Branch