



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes ET, FF

Introduction

This hearing dealt with the Landlords' Application for Dispute Resolution seeking to end the tenancy early and obtain an order of possession for the rental unit, and to recover the filing fee for the Application.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

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

Are the Landlords entitled to end the tenancy early and obtain an order of possession?

Background and Evidence

The Landlords submitted a letter from the municipal authority in the district where the rental unit is located. The letter explains that an electrical and fire safety inspection at the rental unit raised concerns about a marijuana grow operation in the rental unit.

The Landlords filed their Application to have the tenancy end and to have the Tenants vacate the rental unit immediately.

The Tenants appeared and explained they have already vacated the rental unit before the hearing and removed everything they want from the rental unit. The Tenants testified during the hearing that the Landlords may keep their security deposit.

Analysis

Based on the above, the evidence and testimony, and on a balance of probabilities, I find that the Landlords are entitled to an immediate order of possession. I grant the Landlords an order effective at **5:00 p.m. today**.

Since the Tenants have agreed they have removed all their property from the rental unit, I order that the Landlords may treat any of the Tenants' property remaining at the rental unit as abandoned.

I order that the Landlords may retain \$50.00 from the security deposit and interest held to recover their filing fee.

I also order that the Landlords may keep the balance of the security deposit and any interest held.

The Landlords have leave to apply for monetary claims against the Tenants.

Both the Landlords and the Tenants requested that a copy of this decision be sent to them via facsimile.

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 25, 2011.

Residential Tenancy Branch