



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This is an application by the Landlord for an emergency end to the tenancy and to obtain an order of possession.

Both parties attended the hearing by conference call and gave affirmed testimony.

Issue(s) to be Decided

Is the Landlord entitled to end the tenancy early and obtain an order of possession?

Background and Evidence

The Landlord states that the Tenant was served by Express Post by Canada Post on April 14, 2011. The Landlord has provided the tracking number xxxxx where the Landlord states that he obtained confirmation that an attempt of delivery was made and a notice was left for the Tenant to pick up the package. The Landlord states that the package was not picked up by the Tenant, so he had a copy of the package delivered by his resident building manager on April 18, 2011. The Tenant has confirmed receiving both from Canada Post and from the building manager.

The Landlord claims that the Tenant previously acted as a building manager and was selling drugs from his suite. The Landlord claims that since the Tenant began those duties that the rental building has become over run with numerous attendances by the police for fights and drug sales due to the increase in the drug trade. The Landlord states that other Tenants are fearful of their safety. The Tenant disputes this in his direct testimony. The Landlord has provided in his evidence two letters from other Tenants in the building stating their fear of this Tenant and his continued drug sales.

Analysis

I am satisfied that the Tenant was properly served by the Landlord with the notice of hearing and evidence package by express post and personal delivery of a separate package by the building manager based upon the direct testimony of the Tenant.

The Tenant has disputed the Landlord's claims in his direct testimony, but based upon the documentary evidence of the Landlord in support of his claim, I am satisfied that the Landlord has established the claim to end the tenancy early and obtain an order of possession. The Landlord has established cause to end the tenancy for sales of drugs and because of the nature of this cause is entitled to end the tenancy early to protect the interests of the Landlord and other Tenants. As such, I grant the Landlord an order of possession. This Tenant must be served with the order of possession. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Conclusion

The Landlord is granted an order of possession.

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: April 21, 2011.

Residential Tenancy Branch