



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, FF

### Introduction

Some documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on August 9, 2011, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for an early end to the tenancy, and a request for recovery of the filing fee.

### Background and Evidence

The applicant testified that:

- The tenant is causing extensive damage to the rental unit and he believes that immediate possession as needed to stop any further damage.
- The tenant is also unreasonably disturbing the other occupants of the rental property and he does not feel that is fair to the other tenants.
- He has provided photo evidence to show all the damage being caused by the tenant he feels the only way to stop the ongoing damage is to get rid of the tenant.

The applicant is therefore requesting an immediate end to this tenancy and recovery of his filing fee.

### Analysis

It is my finding that the applicant has shown that the tenant is causing extensive damage to the rental unit and that that damage is ongoing and therefore it is my decision that an early end to this tenancy is justified to prevent any further damage to the rental unit.

It is also my finding that the tenant is unreasonably disturbing the other occupants of the rental property and that is further reason to end this tenancy as soon as possible.

I therefore allow the request for the early end to the tenancy and recovery of the filing fee.

### Conclusion

I order an immediate end to this tenancy and I have issued an Order of Possession that is enforceable two days after service on the tenant. I also order that the respondent bear the \$50.00 cost of the filing fee, and therefore the landlord may retain \$50.00 of the security deposit to cover the cost.

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: August 15, 2011.

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Residential Tenancy Branch