



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** ET, FF

### **Introduction:**

This hearing was convened upon the application of the landlord seeking an early end of this tenancy.

The tenant did not appear at the hearing. A person named Stephanie attended saying that she is the roommate of the tenant and that she pays her rent to the tenant. The landlord says he has no tenancy agreement with Stephanie and has never accepted rent from her.

The landlord gave evidence under oath.

### **Issue**

Is the landlord entitled to an order ending this tenancy early that is without serving a one month Notice to End Tenancy for cause?

### **Background and Evidence**

The rental unit is a suite in the landlord's home. The landlord testified that the tenant did not pay rent on October 1, 2011 and when he met with the tenant on October 5, 2011 and inquired about the rent the tenant pushed him down the stairs. The landlord says he was hospitalized because he thought he had a broken arm but it was just badly bruised. The landlord says he's been assaulted by Stephanie as well

### **Analysis**

Section 56 of the *Residential Tenancy Act* says that a landlord may make application to end a tenancy early without service of a Notice to End Tenancy when it would be unreasonable and unfair to both the landlord and the other occupants of the residential property to wait for a notice to end tenancy for cause to take effect.

Based on the undisputed evidence of the landlord I find that the tenant and/or a person permitted on the residential property by the tenant has significantly interfered with or

unreasonably disturbed the landlord. I find that the conduct of the tenant and/or his guests and/or roommate has frightened the landlord such that he rightly fears for his safety and it would be unreasonable, or unfair to the landlord to wait for a notice to end the tenancy under section 47 [*landlord's notice: cause*] to take effect.

**Conclusion**

I will allow the landlord's application to end this tenancy early and grant the landlord an immediate Order of Possession. This Order may be filed in the Supreme Court and enforced as an order of that 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: October 24, 2011.

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Residential Tenancy Branch