



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing dealt with an application by the landlords for an order ending this tenancy early. Both parties participated in the conference call hearing, the tenant being represented by S.B.

Issue to be Decided

Are the landlords entitled to an order ending this tenancy early?

Background and Evidence

The landlords testified that they wish to end the tenancy early because the tenant's agent, S.B., threatened them over the telephone. A.K. testified that the tenant had not paid rent for November so she was telephoning her repeatedly to try to arrange a time to collect rent. On November 14, A.K. telephoned the tenant and spoke with S.B. A.K. stated that S.B. told her that if she came to the house to collect rent, he had a gun and would shoot her. A.K. telephoned the police who attended at the rental unit. No charges were laid against S.B. A.K. claimed that the police told her that S.B. had a history with the police and was dangerous.

S.B. denied having threatened the landlord and stated that when the police attended, they told him it that it was common for landlords to manufacture complaints in order to evict tenants.

Analysis

The landlords bear the burden of proving that there are grounds to end the tenancy and that it would be unreasonable or unfair to the landlord to wait for a notice to end the tenancy for cause to take effect. While I accept that angry words were exchanged between A.K. and S.B., in the absence of corroborating evidence, I am unable to find that S.B. threatened A.K. For this reason I find that the application must fail and I dismiss the claim.

Conclusion

The landlords' claim is dismissed.

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: November 24, 2011

Residential Tenancy Branch