



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, FF

### Introduction

A substantial amount of 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 applicant testified that the notice of hearing was posted on the respondent's door on July 30, 2012, however the respondent 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 an application for an order for an early end to the tenancy, and an Order of Possession. The applicant is also requesting recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- On July 28, 2012 he discovered that the tenant is growing marijuana in the rental unit (photos attached).
- He also discovered that the tenant has made alterations to the rental unit, cutting a large hole in the wall between the garage and the bedroom.
- He is therefore requesting an early end to this tenancy and an Order of Possession for soon as possible to avoid any further damage to the rental unit.

### Analysis

It is my finding that the applicant has shown that the respondent is growing marijuana in this rental unit and has altered the structure of the rental unit.

The photographic evidence makes it very clear that numerous potted plants are being grown on carpets in the rental unit, and a large hole has been cut in the wall between the garage and one of the bedrooms where the plants are being grown.

It is my finding that this poses a significant risk to the landlord's property, as it's very common for mould to grow when plants are being grown indoors in a rental unit, which can cause significant damage to the structure.

Further it's very common that insurance companies will void the insurance if marijuana is being grown in a house, and therefore this also puts the landlords in a position of significant financial risk.

I therefore allow the landlords request for an early entry into this tenancy and an Order of Possession.

### Conclusion

I order an immediate entry into this tenancy and I have issued an Order of Possession to the landlord that is enforceable two days after service on the tenant. I have also ordered that the tenant pay the landlord \$50.00 to cover the cost of the filing fee.

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 14, 2012.

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Residential Tenancy Branch