



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

Some documentary 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 respondent was served with notice of the hearing by hand on October 19, 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.

Background and Evidence

The applicant testified that:

- The tenant's father and brother came with him to rent the basement suite and at that time he appeared to be a reasonable person.
- Shortly after moving in the tenant started to act abusively, and started making comments about not being afraid to kill people.
- One morning he showed up at the door highly intoxicated, badly bruised and bleeding. I asked him to leave immediately or I would call the police, and at that time he started to threaten me.
- The police showed up without me having to call them as he had been in a fight and they took him away.

- The police informed me he was a very unstable person, and suggested it was not safe to have him living in a family home.
- The next day I asked him if he would vacate my basement suite and offered to pay back his rent, however he again threatened me and started uttering threats to my kids and the other tenant, and stated that he can easily murder people.
- I feel this is an emergency situation as this person is dangerous to my elderly parents and my young children and I would like an early end to the tenancy and an Order of Possession for as soon as possible.
- My children are afraid of him and can no longer go in the backyard, and my other tenant is also afraid of him and looking to move if this tenant does not vacate.

Analysis

It is my finding that the applicant has shown that the respondent poses a significant risk to the safety of himself, his family, and the other tenant in the rental unit.

It is not reasonable for tenant to be threatening the landlord or the landlord's family, nor is it reasonable for tenant to be talking about how easily he could murder people.

The tenant's behavior is very aggressive and intimidating, and I will allow the landlords request for an early end to this tenancy.

Conclusion

I Order an early end to this tenancy and have issued an Order of Possession that is enforceable two days after service on the tenant.

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 30, 2012.

Residential Tenancy Branch