



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, FF

### Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions, although I have had to exclude some of the applicants evidence submissions as copies were not served on the respondent

I also gave the parties and the witnesses the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties and the witnesses.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for an Order for an Early End to the Tenancy and an Order of Possession claiming that the respondent assaulted another tenant in the rental property.

### Background and Evidence

The landlords and the landlords witness claim that the tenant assaulted another tenant by attacking in choking him.

The witness initials N.T. claims that the respondent assaulted him and choked him in the kitchen of the rental property, and as a result he lives in fear of the respondent and does not feel comfortable in his own home.

The respondent testified that he did not choke the above witness, and that, as a result of what he believed to be inappropriate comments made by the above witness, he forced the witness up against the sink and held him there for a few seconds only.

Analysis

It is my finding that the landlord has established grounds for an early end to this tenancy.

Although the respondent testified that he did not choke another tenant, in his own testimony he stated that he forced another tenant up against the sink and held him there against his will.

This is not reasonable behavior, and it is certainly not behavior that can be condoned.

This sort of behavior is a threat to the safety of the other occupants of this rental property, and therefore it is my decision that I will end this tenancy as soon as possible.

Conclusion

I Order an early into this tenancy and I have issued an immediate Order of Possession, and I have Ordered that the respondent bear the \$50.00 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: November 08, 2012.

---

Residential Tenancy Branch