



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing dealt with an application by the landlord to end the tenancy early.

The landlord participated in the teleconference hearing, but the tenant did not. The landlord stated that he served the tenant with the application for dispute resolution and notice of the hearing by registered mail on March 4, 2013. I accepted the evidence of the landlord regarding service of the hearing package, and I found the tenant deemed served with the application for dispute resolution and notice of the hearing on March 9, 2013. The hearing proceeded in the tenant's absence.

Issue(s) to be Decided

Should the tenancy end early?

Background and Evidence

The landlord stated that since the tenancy began, on February 1, 2013, the landlord has received verbal and written complaints from four of the other five tenants in the rental building regarding this tenant. The landlord stated that he believes the tenant is a late-stage alcoholic who loses control of his bladder, and this has been causing an increasingly bad stench in the common areas and particularly from the tenant's unit. The tenant has allowed four or five additional people to occupy the rental unit, and it appears that these occupants have been doing drugs and selling drugs in the rental unit. There are people coming and going from the rental unit at all hours. The tenant has also had a dog in the rental unit, and the barking dog disturbs other tenants.

The landlord stated that he has attempted to talk to the tenant but it has had no effect. The tenant and his guests are significantly affecting the other tenants in the building, as

well as the landlord, who lives downstairs. The landlord submitted complaint letters from other tenants as supporting evidence of his claim.

Analysis

I accept the landlord's evidence and find that the tenant has been significantly interfering with and unreasonably disturbing other tenants and the landlord. In the circumstances, given the increasingly offensive odours and the persistent activities by the tenant and his guests that appear drug-related, I find that it would be unreasonable to the landlord to wait for a notice to end tenancy under section 47 to take effect. I therefore order the tenancy ended as of today's date, and I grant the landlord an order of possession.

Conclusion

The tenancy is ordered ended as of March 22, 2013.

I grant the landlord an order of possession effective two days from service. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia 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: March 22, 2013

Residential Tenancy Branch

