



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Muks Kum Oi Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET

Introduction

This hearing dealt with the landlord's application to end the tenancy early and obtain an order of possession.

The landlord attended the teleconference hearing but the tenant did not. The landlord stated that they served the tenant with the application for dispute resolution and notice of hearing by registered mail on May 24, 2013. I accepted the landlord's evidence regarding service of notice of the hearing, and found the tenant deemed served on May 29, 2013. I proceeded with the hearing in the absence of the tenant.

Issue(s) to be Decided

Should the tenancy end early?

Background and Evidence

The landlord took over management of the rental property on April 15, 2013. The landlord received several complaints about the tenant. The complaints indicated that the tenant was having constant parties involving intoxication, very loud music, yelling and fighting, police attendance, and one incident where the backyard fence was set on fire. These incidents occurred in April and May 2013. The landlord gave the tenant two warning letters, on April 30, 2013 and May 16, 2013, but the tenant did not correct her behaviour. The landlord applied for an early end of tenancy on May 22, 2013.

Analysis

I am satisfied, based on the evidence of the landlord and pursuant to section 56 of the Act that the tenancy should end early. The behaviour of the tenant and her guests has put the landlord's property at severe risk and jeopardized the security, safety and physical well-being of other occupants. Given this behaviour at the time that the landlord filed the application for an early end of tenancy, it would have been unreasonable and unfair to the landlord and other occupants of the residential property to wait for a notice to end tenancy for cause to take effect.

Conclusion

I grant the landlord's application to end the tenancy early. I grant the landlord an order of possession effective two days from service, and I order the tenancy ended two days after the notice is served or deemed served on the tenant. 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: June 11, 2013

Residential Tenancy Branch