



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding John Howard Society, Thompson Region  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      ET

### Introduction

This hearing dealt with an application by the landlord to end the tenancy early and obtain an order of possession. The landlord attended the hearing but the tenant did not.

The landlord submitted evidence to establish that the tenant was served with the application for dispute resolution and notice of hearing by registered mail on June 21, 2013. Section 90 of the Act states that a document is deemed to have been served five days after mailing. I found that the tenant was deemed served with notice of the hearing on June 26, 2013, and I proceeded with the hearing in the absence of the tenant.

### Issue(s) to be Decided

Should the tenancy be ended early under section 56 of the Act?

### Background and Evidence

The tenancy began on June 30, 2001. The landlord submitted historical documents demonstrating that there have been several problems with the tenant throughout his tenancy. Within the past month, the tenant has threatened to kill his next-door neighbour and her kids, and the neighbour has twice called the police because of the tenant's threats. The tenant has told other occupants in the building that he would kill the landlord's agent. The tenant has accused another agent of the landlord of breaking and entering the rental unit.

The landlord stated that several of the building's occupants are so frightened of the tenant that they do not want to go out of their apartments or use common areas such as the gazebo. The landlord stated that she has witnessed the tenant's sudden, violent

outbursts, and she fears that he may suddenly become violent with another occupant or with staff.

In support of their application, the landlord submitted several complaint letters from other occupants; notes written by the tenant that the tenant has either sent to the landlord or posted on other rental unit doors; and incident reports from the landlord.

### Analysis

I find that in this case an early end of tenancy under section 56 of the Act is warranted. I accept the landlord's extensive and clear evidence that the tenant has been significantly interfering with and unreasonably disturbing other occupants and the landlord; moreover, the tenant has exhibited aggressive, confrontational behaviour that may suddenly result in a violent outburst and severe consequences for other occupants or the landlord. I therefore order the tenancy ended and grant the landlord an order of possession.

### Conclusion

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: July 9, 2013

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Residential Tenancy Branch