



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

This is an application filed by the Landlord for an early end to the tenancy, to obtain an order of possession and recovery of the filing fee.

The Landlords attended the hearing by conference call and undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that the notice of a hearing package was posted to the rental unit door on July 15, 2013 as the Tenant does not have a phone and will not respond when knocking at the rental unit door. The Landlord noted that the posted notice was removed on July 16, 2013 and that the Tenant still occupies the rental unit as of the date of this hearing. I accept the undisputed testimony of the Landlord and find that the Tenant has been properly served with the notice of hearing package.

Issue(s) to be Decided

Is the Landlord entitled to an early end to the tenancy?

Background and Evidence

The Landlord states that an order of possession has already been received resulting from a 2 month notice to end tenancy issued for Landlord's use that is effective on July 31, 2013 as shown by the submitted copy. The Landlord states that because of the current tenant's actions that they no longer wish to continue renting the property and want to sell it. The Landlord seeks an early end to the tenancy and to obtain an order of possession because the Tenant has allowed another person at the rental unit who is engaging in illegal activities. The Landlord states that C.S. was arrested by police who was selling drugs from the rental. The Landlord relies on a faxed copy of a document, "Report to a Justice" which states that a confidential informant gets his

methamphetamine from C.S. at the rental unit. The Landlord stated in his direct testimony that the person, C.S. was arrested at the rental unit selling drugs.

Analysis

I accept the undisputed testimony of the Landlord and find that grounds have been established under section 56 of the Residential Tenancy Act. The Landlord has satisfied me that the tenant or a person permitted on the property has engaged in illegal activity that has jeopardized or is likely jeopardized a lawful right or interest of the landlord. The Landlord has shown that the person, C.S. had access to the rental unit and was engaging in illegal activity by selling drugs at the rental address. The Landlord is granted an order of possession. This order must be served upon 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.

The Landlord is also entitled to recovery of the \$50.00 filing fee. The Landlord is granted a monetary order for \$50.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted an order of possession.

The Landlord is granted a monetary order for \$50.00.

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 31, 2013

Residential Tenancy Branch