



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CMHA Kootenays
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET

Introduction

This is an application for an Order for early end to the tenancy.

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the applicant entitled to an Order for an early end to the tenancy?

Background and Evidence

The applicant testified that:

- The respondent has been acting in an abusive, aggressive manner towards management.
- On May 30th 2013 the respondent was sent a letter with regards to the aggressive behavior stating that it would no longer be tolerated.
- On June 21, 2013 the respondent again became verbally aggressive and abusive towards the landlord as the landlord was attempting to show a rental unit. As a result of this aggressive behavior the RCMP were called.
- The respondent has continued with her abusive and threatening behavior, making threats to go to the police, to her MLA, and threatening to post on Facebook.
- The respondent is also now sending aggressive e-mails and posting aggressive Facebook posts.

- They are therefore requesting an Order for an early end to the tenancy and an Order of possession.
- The respondent has not threatened any physical violence, nor has she physically assaulted anyone.

Analysis

It's my finding that the applicants have not established grounds for an early end to this tenancy.

An early end to a tenancy is only given in extraordinary circumstances and only when the applicant can show that situation is so extreme that it would not be reasonable to require the normal 1 clear month Notice to End Tenancy.

In this case it's my finding that the applicants have not shown that the situation is so extreme.

The landlord testified that there have been no threats of physical violence towards people or property, and although the applicants may have reasonable grounds to end the tenancy through the normal one-month process I am not willing to issue an Order for an early end to this tenancy.

Conclusion

This application for an early end to the tenancy is dismissed.

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: August 01, 2013

Residential Tenancy Branch

