



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding LLA INVESTMENTS LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      ET, FF

### Introduction

This matter dealt with an application by the Landlord for an Order of Possession and for an early end to the tenancy and to recover the filing fee.

The Landlord said he served the Tenants with the Application and Notice of Hearing (the “hearing package”) by registered mail on February 20, 2014. Based on the evidence of the Landlord, I find that the Tenants were served with the Landlord’s hearing package as required by s. 89 of the Act and the hearing proceeded in the Tenants’ absence.

### Issues(s) to be Decided

1. Does the Landlord have grounds to end the tenancy early?

### Background and Evidence

This tenancy started on March 15, 2012 as a month to month tenancy. Rent is \$640.00 per month payable in advance of the 1<sup>st</sup> day of each month. The Tenant paid a security deposit of \$320.00 on March 15, 2012.

The Landlord said he issued a 1 Month Notice to End Tenancy for Cause dated January 31, 2014 with an effective vacancy date of March 2, 2014. The Landlord continued to say that he was advised by the Residential Tenancy Branch to make his application under Section 56 (Early End of Tenancy) because of the urgency of the situation. The Landlord said the Police have been to the Tenants’ rental unit on a number of occasions and found the manufacturing of drugs and firearms in the unit. As a result of this Police activity the Municipality has issued a letter to the Landlord saying that he is responsible to correct this activity on his property and if the municipality incurs any costs as a result of the Tenants’ illegal activities these costs will be added to the Property taxes for the Landlord to pay. The Landlord said he has been working with the Police and he requested an Order of Possession for as soon as possible based on the situation of the Tenants illegal drug and firearms activity. The Landlord continued to say

he has included a copy of the letter he received from the municipality to support his claims and he is requesting an Order of Possession as soon as possible to end the tenancy.

### Analysis

Section 56 of the Act says a Landlord may make an application to request an order to end a tenancy early if the Tenant significantly interfered with or unreasonable disturbs other occupants or the landlord, seriously jeopardizes the health or safety of other occupants or the landlord, put the landlord property at significant risk, jeopardizes the lawful right of other occupants, caused extraordinary damage to the property or that it would be unreasonable or unfair for a landlord or other occupant to wait for a notice to end tenancy.

The letter from the municipality to the Landlord clearly states the Police activities on January 21, 2014 at the Tenant's rental unit determined that the property was being used for the manufacture, growing, storage, sale, trade or barter of a controlled substance and the Landlord was required to remedy the situation immediately. In this situation I find the Landlord has established grounds to prove that the Tenants have been involved in illegal activities that jeopardizes the Landlord's lawful rights. I award the Landlord an Order of Possession effective two days after service of the Order on the Tenants.

As the Landlord has been successful in this matter I order the Landlord to recover the \$50.00 filing fee for this application from the Tenants' security deposit.

### Conclusion

An Order of Possession effective 2 days after service of it on the Tenants has been issued to the Landlord. A copy of the Order must be served on the Tenants: the Order of Possession may be enforced in the Supreme Court of British Columbia.

The Landlord is ordered to retain the \$50.00 filing fee from the Tenants' security deposit.

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 10, 2014

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Residential Tenancy Branch

