



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding RA-AN ENTERPRISES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET, FF

Introduction

This hearing was scheduled to deal with a landlord's application for an early end of tenancy and Order of Possession. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

Issue(s) to be Decided

Is it necessary to order an early end to this tenancy and is the landlord entitled to an Order of Possession?

Background and Evidence

The tenancy commenced in October 2013 and the tenant is required to pay rent of \$450.00 on the last day of every month.

Rent that was due on February 28, 2014 was not paid and the landlord personally served the tenant with a 10 Day Notice to End Tenancy for Unpaid Rent (the Notice) on March 1, 2014. The tenant did not pay the outstanding rent or dispute the Notice. The tenant did not pay any rent for the subsequent month and continues to occupy the rental unit.

The landlord submitted that in mid-March 2014 the tenant's behaviour very became disruptive to the other tenants and to the landlord's property, resulting in this Application for Dispute Resolution.

The tenant acknowledged that she has several medical conditions including high anxiety which cause her to "freak out". The tenant stated she had another place to move to but wanted to have occupation of the rental unit until April 30, 2014. The

landlord requested an Order of Possession effective April 15, 2014 since the tenant threatened the physical safety of another tenant only two days ago.

Analysis

Having been presented undisputed evidence that the tenant was been served with a 10 Day Notice to End Tenancy for Unpaid Rent on March 1, 2014 and the tenant did not file to dispute the 10 Day Notice or pay the rent, I find the tenancy 10 days later under section 46 of the Act. As such, I find it unnecessary to further consider whether the tenancy should end on an emergency basis under section 56 of the Act.

As the tenancy ended several weeks ago, I provide the landlord with an Order of Possession effective April 15, 2014 as requested.

Conclusion

I have found that the tenancy has already ended due to unpaid rent and the tenant is over-holding. The landlord has been provided an Order of Possession effective April 15, 2014 as requested by the landlord.

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: April 10, 2014

Residential Tenancy Branch

