



# 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 landlord attended the hearing by conference call and gave undisputed evidence. The tenant did not attend or submit any documentary evidence. The landlord states that the tenants were served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on May 14, 2014. The landlord has provided in his direct testimony that Canada Post Registered Mail Customer Receipt Tracking number as confirmation. The landlord states that an online search shows that an attempted service was made and a notice to pick up the package on May 15, 2014 and again a final notice left on May 20, 2014. The notice of hearing package is being returned as unclaimed by the respondent. I accept the undisputed evidence of the landlord and find that the tenants have been properly served and have failed to attend to participate in the hearing.

### Issue(s) to be Decided

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

### Background and Evidence

The landlord seeks an early end to the tenancy and states that the tenants are causing disruption to other tenants, that other tenants feel threatened by the tenants and that the landlord has been fined by the strata for the tenant's actions.

The landlord has provided a copy of the strata minutes, a letter from the strata to the landlord and an invoice from the strata for a fine for the tenant's actions and behaviour. The landlord also states that recently the tenants caused damage to a fire door that

required the replacement of the door costing over \$500.00. The landlord states that the tenants have caused extra ordinary damage and have jeopardized the health or safety of all of the occupants of the rental property. The landlord also states that the tenants have put the rental property at significant risk by leaving the emergency doors propped open at all hours of the day and night causing security issues. The landlord has also provided copies of emails from other tenants complaining of the tenants actions and their fear of these tenants. The landlord states that continued tenancy for the tenants would jeopardize the rental property.

### Analysis

I accept the undisputed testimony of the tenants and find that the landlord has established a claim that it would be unreasonable, or unfair to the landlord and other occupants of the residential property, to wait for a notice to end tenancy under section 47 of the Act. I find that the landlord has provided sufficient evidence to satisfy me that the tenants would represent a continued risk to the rental property. The landlord is granted an order of possession. This order must be served upon the tenants. Should the tenants 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 early end to the tenancy and 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: June 05, 2014

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Residential Tenancy Branch

