



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 order for an early end to the tenancy and recovery of the filing fee.

The landlord attended the hearing by conference call and gave undisputed testimony. The tenant did not attend or submit any documentary evidence. The landlord states that the tenant was served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on June 20, 2014 and has provided a copy of the Customer Receipt tracking number as confirmation. As such, I am satisfied based upon the undisputed evidence of the landlord that the tenant has been properly served with the notice of hearing package and the submitted documentary evidence.

Issue(s) to be Decided

Is the landlord entitled to an early end to the tenancy and obtain an order of possession?

Background and Evidence

The landlord states that after an inspection of the rental unit it was discovered that the tenant had been using a pellet gun to shoot the walls, ceilings and door frames in the rental unit causing extreme damage. The landlord has provided two photographs as evidence. The tenant was issued an eviction notice due to extraordinary property damage as this was the second occasion during the tenancy for which the tenant has knowingly caused damage to the rental unit. The landlord states that the tenant has not been seen at the rental property for a few weeks and it appears that the tenant gave his rental unit keys to a girl who is walking around the rental property with a pellet gun. The landlord states in her direct testimony that the tenant was seen just days before the

hearing removing personal property from the rental unit and is unsure if the tenant has abandoned the property.

The landlord seeks an order of possession to prevent further damage to the building and to protect the safety of other tenants.

The landlord states that the tenant was served with a 1 month notice to end tenancy issued for cause dated May 28, 2014 with a stated effective end of tenancy date of June 30, 2014.

Analysis

I accept the undisputed evidence of the landlord and find that the landlord has established grounds that the tenant has put the landlord's property at significant risk and has caused extraordinary damage to the residential property by shooting his pellet gun in the rental unit. The landlord is granted an order of possession pursuant to section 56 (2) (a) (iii) and (v) of the Residential Tenancy Act. 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 having been successful in this application is entitled to recovery of the \$50.00 filing fee. I grant a monetary order under section 67 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 04, 2014

Residential Tenancy Branch

