



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

This hearing was convened to address an application by the landlord for an order ending this tenancy early and for a monetary order for the recovery of the filing fee. Despite having been served with the application for dispute resolution and notice of hearing in person on August 01, 2014, the tenant did not participate in the conference call hearing.

Issue to be Decided

Is the landlord entitled to an order ending this tenancy early? Is the landlord entitled to recover the filing fee?

Background and Evidence

The landlord's undisputed evidence is as follows:

The tenancy began on July 01, 2014. The rental unit consists of one of three bedrooms located in the lower level of the home. The landlord leases the entire lower level, occupies one bedroom and rents the other two.

Since the tenancy began, the tenant's girlfriend visited the tenant and caused problems at the rental unit for the other occupants. The landlord stated that she would argue with him, throw pots and pans around and even threw a jar of coffee mate which created a huge mess that she did not clean up. The tenant's girlfriend attempted to steal a computer and broke a bedroom window. The landlord added that the tenant used foul language and has threatened to kill the landlord.

The police visited the unit nine times to remove the tenant's girlfriend and have ordered her not to return. The landlord stated that despite the order, she continues to sneak into the house and continues to cause problems for the other occupants.

The landlord filed a statement from the other occupant of the lower level of the house, in support of his testimony. The landlord stated that the tenant and his girlfriend have caused extreme disturbance to him and the other occupants of the house through the noise they create as well as destruction to the residential property, including breaking windows. The landlord also stated that because of their activity, there has been an ongoing police presence at the residence and arrests made.

Analysis

I accept the landlord's undisputed evidence and I find that the tenant has caused an extreme disturbance and created an environment which is dangerous for the other occupants of the house and destructive to the residential property. I find that it would be unfair to make the landlord wait for a one month notice to end tenancy to take effect and I find that the landlord is entitled to an order of possession ending the tenancy early.

I grant the landlord an order of possession effective two days after service on the tenant. If the tenant fails to comply with the order, it may be filed in the Supreme Court and enforced as an order of that Court.

Since the landlord has proven his case, I award him the recovery of the filing fee of \$50.00. I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act*, for \$50.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

The landlord is granted an order of possession **effective two days after service** on the tenant and 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: August 21, 2014

Residential Tenancy Branch

