



## **DECISION**

Dispute Codes      ET, FF

### Introduction

This is a request for an order for an early end to the tenancy, an Order of Possession, and a request for recovery of the filing fee.

Some documentary evidence, digital evidence, and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by personal service on July 31, 2014, however the respondent(s) did not join the conference call that was set up for the hearing.

Since the respondents have been served with notice of today's hearing, I proceeded with the hearing in the respondents absence.

All testimony was taken under affirmation.

### Issue(s) to be Decided

The issue is whether or not to order an early end to this tenancy.

## Background and Evidence

The applicant testified that:

- She has personally witnessed the tenants buying drugs on the street in front of the rental property, on numerous occasions.
- The tenants have also become extremely disruptive and noisy at night, yelling and screaming in the middle of the night.
- These disruptions have become a nightly occurrence, and the other tenant in the adjoining unit is threatening to vacate if this continues.
- Further, my elderly parents also live in the rental property, and this is extremely detrimental to their health, as they are unable to get any sleep at night.
- She is asking for an early end to this tenancy as she believes that if this tenancy is allowed to continue for the length of time it takes to evict the tenant with the one month notice, she will lose other tenants and her parent's health will deteriorate.

## Analysis

I accept the applicant's testimony that the tenants of this rental property are being extremely disruptive on a nightly basis and I therefore find that it would be unreasonable to allow this tenancy to continue any longer.

I also find that it's likely that these ongoing nightly disruptions are adversely affecting other tenant and the landlord's parents significantly.

I therefore allow the request for an early end to the tenancy and recovery of the filing fee.

## Conclusion

Pursuant to section 56 of the Residential Tenancy Act I hereby order an early end to this tenancy, and pursuant to section 55 of the Residential Tenancy Act I've issued an Order of Possession that is enforceable two days after service on the respondents.

I have also issued an Order for the respondents to pay \$50.00 to the applicant for recovery of the filing fee.

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 20, 2014

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Residential Tenancy Branch