



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Cascadoa Apartment Rentals Ltd.  
and [tenant name suppressed to protect privacy]

## **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 tenant was served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on July 24, 2014 and has provided in her direct testimony the Customer Receipt Tracking number. The landlord states that a search of the online tracking system shows that the tenant received and signed for the package.

### Issue(s) to be Decided

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

### Background and Evidence

This tenancy began on September 1, 2013 on a fixed term tenancy ending on February 28, 2014 and then thereafter on a month to month basis as shown by the submitted copy of the signed tenancy agreement dated July 18, 2013. The monthly rent is \$870.00 payable on the 1<sup>st</sup> of each month and a security deposit of \$435.00 was paid.

The landlord states that the tenant caused damage to the rental property and has provided a copy of the police file number. The landlord states that the tenant attended the resident manager's office on July 23, 2014 and was observed to be behaving strangely. The landlord states that the tenant, Y.A. threatened the landlord's agent and was observed slamming the glass door shattering it then going out and urinated on the Canada Post Mail Carrier. The tenant was also observed to damage the buildings fire safety system. The landlord stated that the police were called and the tenant, Y.A. was

arrested and placed in custody for 6 days who then returned. The landlord has provided copies of photos taken of the property damage.

### Analysis

I accept the undisputed evidence of the landlord and find that grounds for an early end to the tenancy have been established. The tenant has caused extraordinary damage to the property (damage to fire safety systems) and has threatened the safety of the landlord and other occupants of the rental property. The landlord is granted an order of possession. The order of possession 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 is also entitled to recovery of the \$50.00 filing fee. I grant a monetary order for \$50.00 to the landlord. 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 also 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: August 12, 2014

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Residential Tenancy Branch

