



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Code: ET

Introduction:

This is the Landlords' application for an early end to the tenancy and an Order of Possession.

The Landlord gave affirmed testimony at the Hearing.

The Landlord testified that he stapled three copies of the Notice of Hearing Package and his documentary evidence to the door of the rental unit on November 5, 2014.

Based on the Landlord's affirmed testimony, I am satisfied that the Tenants were duly served with the Notice of Hearing documents and copies of the Landlord's evidence. Despite being served with the documents, the Tenants did not sign into the teleconference and the Hearing continued in their absence. The Hearing remained open for 15 minutes.

Issue to be Determined:

Are the Landlords entitled to an Order of Possession?

Background and Evidence:

The Landlord stated that the Tenants are hoarders and are suspected of keeping and trafficking methamphetamine in the rental unit. The Landlord testified that a warrant to search the rental unit was issued on October 29, 2014, on reasonable belief that the Tenants were trafficking in a controlled substance. A copy of the warrant was provided in evidence. The Landlord stated that after executing the warrant, the Tenants were arrested.

The Landlord stated that the fire department also ordered that the rental property be destroyed. A copy of the Order to Remedy Conditions dated October 30, 2014, was provided in evidence.

The Landlord stated that the furnace and hot water tank were disabled on October 30, 2014.

Analysis:

In making an application for an early end to this tenancy the landlord has the burden of proving that there is cause for ending the tenancy, such as unreasonably disturbing other occupants, seriously jeopardizing the health and safety or lawful right or interest of the landlord and placing the landlord's property at significant risk, and by proving that it would be unreasonable or unfair to the landlord or other occupants to wait for a one month Notice to End Tenancy for cause under Section 47 of the *Act* to take effect.

Based on the undisputed affirmed testimony and evidence of the Landlord, I am satisfied that the Landlord has proven that there is cause to end the tenancy and that it would be unreasonable or unfair to the Landlord to wait for a one month Notice to End Tenancy for cause to take effect.

I hereby provide the Landlord with an Order of Possession effective **upon service of the Order upon the Tenants.**

Conclusion:

I hereby provide the Landlord with an Order of Possession **effective immediately upon service of the Order upon the Tenants.** This Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

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: November 18, 2014

Residential Tenancy Branch

