



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET

### Introduction

This hearing was convened pursuant to the landlord's application to end the tenancy early. The landlord called in to the teleconference hearing, but the tenant did not.

The landlord submitted evidence to establish that the tenant was served with the application for dispute resolution and notice of hearing by registered mail sent on September 20, 2014. Section 90 of the Act states that a document is deemed to have been served five days after mailing. I found that the tenant was deemed served with notice of the hearing on September 25, 2014, and I proceeded with the hearing in the absence of the tenant.

### Issue(s) to be Decided

Should the tenancy end early, pursuant to section 56 of the Act?

### Background and Evidence

The landlord provided testimonial and photographic evidence to show that on August 27, 2014 the tenant assaulted the landlord and tore the landlord's shirt. The landlord said that on that date the tenant also repeatedly used foul language. The landlord stated that the tenant has a volcanic temper, and the landlord fears for his safety. The landlord contacted the police, and the police advised the tenant not to have any more personal contact with the landlord. The landlord stated that the tenant has scared all of the other tenants in the building.

Analysis

I am satisfied based on the above-noted evidence that the tenancy should end early pursuant to section 56.

I accept the landlord's evidence that the tenant assaulted the landlord and the landlord and the other tenants are in fear for their safety. The landlord has established that the tenant has significantly interfered with the landlord, and it would be unreasonable to the landlord and the other occupants to wait for a notice to end tenancy for cause to take effect.

Conclusion

I grant the landlord an order of possession effective two days from service. The tenant must be served with the order of possession. 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.

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: October 3, 2014

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Residential Tenancy Branch

