



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

This hearing dealt with an application by the landlord for an order ending this tenancy early. Despite having been personally served with the application for dispute resolution and notice of hearing on September 19, the tenant did not participate in the conference call hearing.

Issue to be Decided

Should this tenancy be ended early and without notice?

Background and Evidence

The landlord's undisputed evidence is as follows. The rental unit is on the lower floor of a house in which the upper floor is occupied by the landlord and his family and in which another rental unit exists. On September 9, 2014, the tenant threatened the landlord and other occupants, saying "You don't know what I could do to you" and "Come to India; I can kill you." The tenant acted aggressively toward the landlord and his family on September 18. The landlord and his family fear for their safety and for the safety of the other occupants of the building.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant threatened the lives of the landlord and his family. I find that the landlord is justifiably fearful for his safety and I find that it would be unreasonable to make the landlord wait to end the tenancy until a 1 month notice to end tenancy for cause were to take effect. For this reason, I order that the tenancy be ended early and I grant the landlord an order of possession which will be effective 2 days after service on the tenant. If the tenant does not comply with the order, it may be filed in the Supreme Court for enforcement.

Conclusion

The landlord is granted an order of possession. As the landlord has been successful in his claim, I find that he is entitled to recover the \$50.00 filing fee which he may deduct from the tenant's security deposit.

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 03, 2014

Residential Tenancy Branch

