



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes

ET

### Introduction

This hearing dealt with an application by the landlord for an order ending this tenancy early. Both parties participated in the conference call hearing.

### Issue to be Decided

Is the landlord entitled to an order ending this tenancy early?

### Background and Evidence

This tenancy began in the fall of 2013. The landlords testified that since the beginning of the tenancy, the tenants have caused significant damage to the unit as they have kept the property in poor condition and have allowed junk to accumulate to the degree that the city bylaw enforcement officers have issued warnings to the landlords. The landlords further testified that the tenants and their guests have been engaged in criminal activities which has attracted a number of police complaints and has disturbed both the landlord and the community. The landlords entered into evidence a letter from an RCMP constable dated October 9, 2014 in which he stated in part:

The above noted property has generated 57 calls for service since August 2013. The nature of the calls range from Breach of Peace, Suspicious Activities, Drug Transactions, Weapons Possession, Breach, Possession of Stolen Property and other offences.

Numerous people known by police to be active in the local drug and property crime trade have been observed coming to and going from the residence. The occupants of the residence which the police have coming into contact with were known to police as drug users, drug dealers, and prolific property crime offenders.

Police are concerned over the safety and security of the neighbourhood due to the criminal activities coming from and attracted to this residence.

Scarce police resources have been consistently redirected and allocated to deal with this address.

The landlord testified that at a recent community business improvement association meeting, community members expressed complaints about ongoing police presence, reports of drug dealing and the apparent exchange of stolen property. The landlords further testified that they attended at the rental unit from October 4-11 to perform repairs but the tenants would not answer the door, so they brought police with them on October 14. They gained admittance to the house but when the police left, the female tenant became hostile and belligerent.

The tenant denied all allegations and said that although the police have attended 3 times on noise complaints, there have been no other attendances by police. She testified that her former roommate may have caused problems but he was now out of the house and she believes that he may have phoned the police to file false reports in the months since he moved out.

### Analysis

I find that the evidence against the tenants is overwhelmingly in support of the landlord's application. I find it more likely than not that the tenants have created such a disturbance through their involvement in criminal activity that the police have attended at the residence numerous times and that the tenants have created a significant disturbance to the landlord. I find that their criminal involvement has placed the landlord's property at risk. I do not accept the tenant's denial that she is involved with criminal activity as I find the landlord's evidence to be more persuasive.

I find that the landlord is entitled to an order of possession and I grant the landlord an order which must be served on the tenant. Should the tenant fail to comply with the order, it may be filed in the Supreme Court for enforcement.

### Conclusion

The landlord is granted an order of possession.

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 30, 2014

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Residential Tenancy Branch

