



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

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

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by personal service on January 14, 2015; however the respondent did not join the conference call that was set up for the hearing.

Since the respondent has been properly served with notice of today's hearing I conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

Has the applicant established the right to an early end to this tenancy and an Order of Possession?

Background and Evidence

The applicant has provided evidence that the tenant was served with both a 10 day Notice to End Tenancy, and a one-month Notice to End Tenancy, both of which were served on November 23, 2014. To date the tenant has failed to comply with either notice and has failed to pay any further rent.

As of today's date there is a total of \$1920.00 in rent outstanding.

The landlord is requesting an Order of Possession for as soon as possible.

The landlord also testified that on January 9, 2015 the tenant physically harassed and threatened his parents who also live in the rental property so much so that they are now afraid to live in their rental unit.

Analysis

It's my finding that the landlord has shown that the respondent/tenant has been properly served with both a 10 day Notice to End Tenancy for nonpayment of rent, and a one-month Notice to End Tenancy for landlord use and the tenant has failed to file a dispute of either of those notices and therefore is deemed to have accepted the end of the tenancy.

It's my decision therefore that this tenancy is ended and the landlord does have the right to an Order of Possession.

Conclusion

I have issued an Order of Possession for 1:00 p.m. on January 30, 2015.

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: January 27, 2015

Residential Tenancy Branch

