



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

This was an application by the landlord for an early end of tenancy and an order for possession. The hearing was conducted by conference call. The landlord attended, but the tenant did not call in and did not participate although she was served with the application and Notice of Hearing by registered mail sent on April 7, 2015.

Section 56 (2) of the Act permits me to make an order specifying an earlier date for the end of a tenancy than would be the case had the landlord issued a one month notice to end a tenancy for cause, only if I am satisfied that, among other matters, the tenant has engaged in illegal activity that has adversely affected or is likely to adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant of the residential property and it would be unreasonable, or unfair to the landlord or other occupants of the residential property, to wait for a notice to end the tenancy under section 47 [*landlord's notice: cause*] to take effect. Section 56 (3) of the Act provides that: If an order is made under this section, it is unnecessary for the landlord to give the tenant a notice to end the tenancy.

I heard evidence that the tenant has threatened and disturbed other occupants of the rental property and that the police have attended at the rental unit on a number of occasions in response to disturbances from the occupant of the rental unit. The evidence of the landlord has satisfied me that the tenant or another occupant of the rental unit has engaged in illegal activity that has affected the quiet enjoyment, security, safety or physical well-being of another occupant of the residential property and it would be unreasonable, or unfair to the landlord or other occupants of the residential property, to wait for a notice to end the tenancy under section 47 to take effect. The landlord testified that a person authorized by the tenant has moved her belongings out of the rental unit, but the landlord requested an order for possession at the hearing to provide a certain determination that the tenancy has ended. Accordingly I order the tenancy to be at an end effective today, April 23, 2015 and I find that the landlord is entitled to an

order for possession effective two days after service on the tenant. This order may be filed in the Supreme Court 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: April 23, 2015

Residential Tenancy Branch

