



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Gateway Property Management Corp  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes            CNC, FF, OPC

### Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant(s), and one brought by the landlord(s). Both files were heard together.

The landlord's application is a request for an Order of Possession based on a one-month Notice to End Tenancy for cause and a request for recovery of the \$50.00 filing fee.

The tenant's application is a request to cancel a Notice to End Tenancy that was given for cause.

Some documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing.

I have given the parties the opportunity to present all relevant evidence, and to give oral testimony, and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

The issue is whether or not to cancel or uphold a Notice to End Tenancy that was given for cause.

### Background and Evidence

This tenancy began on December 6, 2014 with a monthly rent of \$925.00.

The landlord testified that:

- There have been numerous loud confrontations between the two tenants in this rental unit which has caused considerable disturbance to the other occupants of the rental property.

- On March 14, 2015 the fighting escalated to the point where the RCMP attended, as the female tenant was on the balcony screaming.
- The male tenant refused to allow the RCMP entry, and as a result the RCMP broke down the door and arrested the male tenant.
- These disturbances are unreasonably disturbing the other occupants and therefore the Notice to End Tenancy was given.
- He is requesting an Order of Possession for as soon as possible.

The tenant testified that:

- She is not disputing the Notice to End Tenancy; she is simply requesting extra time to vacate the rental unit, as she has to get rid of all her furniture somehow, and find a place to move to.

In response to the tenant the landlord testified that:

- he is opposed to any extension for the tenant to vacate, especially since the rent is now also two months overdue.

### Analysis

It is my finding that the landlord has shown that the tenants have unreasonably disturbed the other occupants of the rental property, and therefore, especially since the tenant is not disputing the notice, I allow the landlords request for an Order of Possession.

I will not be granting the tenant any extra time to vacate the rental unit, especially since rent is also two months overdue.

### Conclusion

The tenant's application is dismissed without leave to reapply.

I have issued an Order of Possession to the landlord that is enforceable two days after service on the tenant.

I have issued a monetary order to the landlord in the amount of \$50.00 for recovery of his filing fee.

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: May 05, 2015

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Residential Tenancy Branch

