



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Li-Car Management Group
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes AAT, CNC, FF, OPC

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant and one brought by the landlords. Both files were to be heard together, however the tenant did not join the conference call that was scheduled for the hearing. The tenants application has therefore been dismissed and I proceeded with the landlords application in the absence of the tenant.

The landlord's testimony was taken under affirmation.

Issue(s) to be Decided

The issues are whether or not to issue an Order of Possession in favor of the landlord, and whether to Order recovery of the landlords filing fee.

Background and Evidence

The landlord testified that a one month Notice to End Tenancy was served on the tenant personally on October 31, 2015.

The landlord further testified that the tenant phoned and informed them that she has vacated the rental unit; however they have, as yet, not been able to confirm that.

The landlord further testified that the reason for the Notice to End Tenancy was that the tenant's son has been unreasonably disturbing other occupants of the rental property and when they complain he has threatened them.

The landlord is therefore requesting an Order of Possession for as soon as possible and an Order for recovery of their \$50.00 filing fee.

Analysis

It is my finding that the landlords have properly served the tenant with a one month Notice to End Tenancy and since the tenant has not appeared to dispute the notice, I will allow the landlords request for an Order of Possession.

I accept the landlord's testimony that the tenant's son has been unreasonably disturbing other occupants of the rental property and therefore it would not be reasonable to allow this tenancy to continue.

I also allow the request for recovery of the \$50.00 filing fee.

Conclusion

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

I have issued a Monetary Order in the amount of \$50.00.

As stated above the tenant's application is dismissed in full without leave to reapply.

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 06, 2016

Residential Tenancy Branch

