



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

This hearing was convened to address an application by the landlord for an order ending this tenancy early and for a monetary order for the recovery of the filing fee.

Despite having been served with the application for dispute resolution and notice of hearing in person on May 25, 2016, the tenant did not participate in the conference call hearing.

Issue to be Decided

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

Background and Evidence

The landlord's undisputed evidence is as follows:

The tenancy began on April 01, 2009. The monthly rent is \$497.00 payable on the first of each month. Prior to moving in, the tenant paid a security deposit of \$220.00.

The landlord stated in his written submission that on May 20, 2016, the tenant refused the landlord entry to carry out emergency repairs, attempted to flood the unit by obstructing the shower drain, threatened to kill staff, threw numerous objects out the window onto a busy street, broke the window pane with a hammer and hung from her window naked and screaming. The police were called. The street was closed down and the tenant was removed by police.

The landlord filed sufficient evidence to support his testimony by way of reports, warning letters, photographs and digital evidence.

Analysis

I accept the landlord's undisputed evidence and I find that the tenant has caused an extreme disturbance and created an environment which is destructive to the residential property and is dangerous for the other occupants of the building and pedestrians. I find that it would be unfair to make the landlord wait for a one month notice to end tenancy to take effect and I find that the landlord is entitled to an order of possession ending the tenancy early.

I grant the landlord an order of possession effective two days after service on the tenant. If the tenant fails to comply with the order, it may be filed in the Supreme Court and enforced as an order of that Court.

Since the landlord has proven his case, I award him the recovery of the filing fee of \$100.00. The landlord may retain \$100.00 from the security deposit.

Conclusion

The landlord is granted an order of possession **effective two days after service** on the tenant.

The landlord may retain \$100.00 from the security deposit.

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: June 15, 2016

Residential Tenancy Branch