



# 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.

The landlord testified that she served the tenant with the notice of hearing and application for dispute resolution on August 08, 2016, by registered mail and provided a tracking number. The tenant did not participate in the conference call hearing. I found that the tenant had been served with notice of the landlord's claim and the hearing proceeded in the tenant's absence.

The landlord attended the hearing and was given full opportunity to present evidence, make submissions and give affirmed testimony.

### **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 November 18, 2015. The accommodation is subsidised housing and is allotted and rented based on a tenant's income and family size. The tenant's portion of the rent is \$448.00.

On July 31, 2016, the tenant's boyfriend visited the rental unit and physically assaulted the resident caretakers. The police were called. The landlord provided a police file number and an incident report along with witness statements. The landlord testified that the assailant uttered threats of extreme violence to the landlord's staff.

### **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 dangerous for the other occupants of the building and the resident caretakers. 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 her case, I award her the recovery of the filing fee of \$100.00. I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act*, for \$100.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

### **Conclusion**

The landlord is granted an order of possession **effective two days after service** on the tenant and a monetary order for **\$100.00**.

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: August 26, 2016

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Residential Tenancy Branch