



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes ET FF

### Introduction

This hearing dealt with an application by the landlord for an order allowing the early end to a tenancy and for an order of possession. The landlord also seeks recovery of the \$50 filing fee for this application. Despite being personally served with the landlord's Application for Dispute Resolution and Notice of Hearing on August 21, 2016, the tenant failed to attend the hearing.

### Issue(s) to be Decided

Is the landlord entitled to the requested orders?

### Background and Evidence

This tenancy began on January 1, 2016. The tenant is still residing in the rental unit. The rent is \$800 per month. The rental unit is a basement suite in the landlord's home.

According to the landlord, the tenant has not paid any rent for the months of August and September and has had numerous additional people residing in the rental unit for the duration of the tenancy. The landlord testified that he does not know who all these people are but that one individual named RL is one of the people who began residing downstairs. According to the landlord, this individual threatened to "kill" the landlord one day in the back yard of the residential property. The landlord testified that this individual was arrested by the RCMP on September 7, 2016 on an outstanding warrant from Ontario. The landlord further testified that he and his family are frightened by the people coming and going from the rental unit and that they want an order of possession as soon as possible.

### Analysis

Section 56 of the Act states that a landlord may make an application for dispute resolution to request an order ending a tenancy on a date that is earlier than the tenancy would end if notice to end the tenancy were given under Section 47 and an order granting the landlord an order of possession in respect of the rental unit.

Section 56 goes on to say that the director may make such orders if satisfied that the tenant or a person permitted on the residential property by the tenant has, amongst other things, “seriously jeopardized the health or safety of the landlord.”

In the present case, I am satisfied based on the undisputed testimony of the landlord that an order for early termination and an order of possession are justified in the circumstances.

### Conclusion

I grant the landlord an order for the early termination of this tenancy.

I find that the landlord is entitled to an order of 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: September 14, 2016

---

Residential Tenancy Branch