



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing dealt with an application by the landlord pursuant to section 56 of the *Residential Tenancy Act*, for an order to end the tenancy early and obtain an order of possession.

The landlord testified that she served the tenant with the notice of hearing package on June 17, 2020, by registered mail and filed a copy of the tracking slip into evidence. 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 in accordance with sections 88 and 89 of the *Act*, and the hearing proceeded in the tenant's absence.

The landlord provided extensive documentary evidence. I have considered all the written evidence and oral testimony provided by the landlord but have not necessarily alluded to all the evidence and testimony in this decision.

Issue to be Decided

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

Background and Evidence

The landlord's undisputed evidence is as follows:

The tenancy began on January 15, 2020. The monthly rent is \$1,250.00 payable on the first of each month. Prior to moving in, the tenant paid a security deposit of \$600.00. The landlord testified that the tenant has not paid rent since February 01, 2020 and continues to occupy the rental unit.

The landlord testified that the tenant was involved in an armed robbery and a search warrant of the unit was issued. The RCMP contacted the landlord to inform her that the rental unit was searched on February 07, 2020 and that drug paraphernalia and weapons were found.

A wall was kicked in to recover evidence hidden by the tenant. Items stolen during the armed robbery were recovered in the rental unit. The tenant was arrested and taken into custody. The landlord filed a copy of the search warrant.

The landlord also testified that a break and enter was carried out in another unit in the building and items taken from that unit were also recovered from the rental unit.

The landlord is requesting an order of possession to put an early end to this tenancy. The landlord filed sufficient evidence to support her testimony by way of reports, correspondence from the strata and a search warrant.

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 landlord and the other occupants of the building. 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.

Conclusion

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

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: July 07, 2020

Residential Tenancy Branch