



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes**      ET, FF

### **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 also applied for the recovery of the filing fee.

The landlord testified that she served the tenant with the notice of hearing package on July 04, 2020, by posting the package on the door. 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.

### **Issue to be Decided**

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

### **Background and Evidence**

The landlord's undisputed evidence is as follows:

The tenancy began on April 01, 2020. The monthly rent is \$600.00 payable on the first of each month. The rental unit is a room located on the upper floor of the landlord's home. The landlord lives on the middle floor. The rooms on the upper floor are rented out separately and the tenant shares the washroom and kitchen with two other occupants of the upper floor.

The landlord testified that the tenant was involved in breaking and entering the rooms of the other occupants. The landlord filed two statements from these occupants. The landlord also stated that the tenant got into an argument with one of the occupants and threw a shoe at her. The landlord added that drug paraphernalia is regularly found in the common areas, the tenant has cut electrical wires, the tenant smokes in her room and has numerous visitors, some staying overnight.

The landlord testified that stolen property is brought into the house and the police have visited the house at least 5 times since the start of tenancy. The landlord fears for her safety and for the safety of her family and other occupants of the rental property.

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.

### **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.

Since the landlord has proven her case, I grant 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: July 27, 2020