



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      ET

### Introduction

This hearing was convened in response to an application by the Landlord for an early end to the tenancy and an order of possession pursuant to section 56 of the *Residential Tenancy Act* (the “Act”).

The Tenants did not attend the hearing. I accept the Landlord’s evidence that each Tenant was served with the application for dispute resolution, notice of hearing and evidence (the “Hearing Package”) by posting the hearing packages on the door on March 17, 2022 in accordance with Section 89 of the Act. The Landlords were given full opportunity to be heard, to present evidence and to make submissions. The Landlords confirmed that no recording devices were being used for the hearing.

### Issue(s) to be Decided

Is the Landlord entitled to an early end of the tenancy and an order of possession?

### Background and Evidence

The tenancy under written agreement started on November 1, 2021. Rent of \$2,100.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected a security deposit of \$1,000.00.

On February 24, 2022 the unit was raided by the police who found drugs and weapons. On the same day the city issued an order that the unit could not be occupied, and that special remediation of the unit must take place before any future occupancy. On March 6, 2022 the Landlord attended the unit for an inspection and an occupant of the unit threatened to set the property on fire in order to destroy evidence. The Tenants appear to have moved out of the unit but a number of occupants remain.

### Analysis

Section 56(2)(a)(iv) and 56(2)(b) of the Act provides that the director may make an order specifying an earlier date on which a tenancy ends and the effective date of the order of possession only if satisfied, in the case of a landlord's application, the tenant or a person permitted on the residential property by the tenant has engaged in illegal activity that

(A)has caused or is likely to cause damage to the landlord's property,

(B)has adversely affected or is likely to adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant of the residential property, or

(C)has jeopardized or is likely to jeopardize a lawful right or interest of another occupant or the landlord; and

(b)it would be unreasonable, or unfair to the landlord or other occupants of the residential property, to wait for a notice to end the tenancy under section 47 [*landlord's notice: cause*] to take effect.

Given the undisputed evidence of illegal activity, the city order requiring no occupancy of the unit and the threats to burn the property I find that the Landlord has substantiated that the tenancy must end and that it would be unreasonable in the circumstances for the Landlord to wait for a one month notice to end tenancy for cause to take effect. The Landlord is therefore entitled to an order of possession.

Conclusion

**I grant** an Order of Possession to the Landlord **effective two days** after its service on the Tenants. The Tenants must be served with this **Order of Possession**. Should the Tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia 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 Act.

Dated: April 04, 2022

---

Residential Tenancy Branch