

DECISION

Dispute Codes: ET, FF

This hearing dealt with an application by the landlord to end tenancy early and to obtain an order of possession. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on March 31, 2009, the tenant did not participate in the conference call hearing.

At the outset of the hearing, the landlord withdrew her application for a monetary order for the amount of the filing fee of \$50.00. I therefore dismiss the landlord's application for such an order.

The tenancy began on February 15, 2009. Both the landlord and her witness MIV (who also lives at the house) gave the following statements with respect to events that have transpired during the tenancy. As well, a letter dated March 30, 2009 from GR was submitted to confirm the landlord's statements regarding the March 17 incident.

On March 17 and 28, the landlord parked her car at the driveway in order to retrieve some things from the garage. The tenant became irate. He swore at the landlord and threatened to harm the landlord and her family. During the March 28 incident, the landlord called the police. Constable AS attended property and wrote up a report about the incident.

On March 18, the landlord warned the tenant to stop his son from consuming illegal substances on the property. The tenant did not deny such consumption by his son.

On March 26, the tenant shut off the furnace so the house was without heat. Thereafter, he refused landlord access to the furnace.

On March 28 at 10 p.m., the tenant shut off the hot water tank so the house was without hot water. The landlord called the police. The police attended the

property but the tenant again refused access to the hot water tank. After the police left, the tenant started banging pots and pans in his unit causing the occupants of the house to remain awake until 4 a.m.

On March 29, the landlord called the police again. The police attended the property and accompanied the landlord into the tenant's unit to turn on the furnace and hot water tank.

I have accepted the landlord's undisputed evidence. Based on such evidence, I find that the landlord has established grounds to end the tenancy early. The landlord is entitled to an order of possession. The tenant must be served with the order of possession. Should the tenant 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.

Dated April 07, 2009.