

Decision

Dispute Codes: ET, FF

Introduction

This hearing dealt with an application by the landlord for an early end of tenancy and recovery of the filing fee. Despite having been served with the application for dispute resolution and notice of hearing through those documents having been posted on the door of the rental unit, the tenants did not participate in the conference call hearing.

Issue(s) to be Decided

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

Background and Evidence

The landlord testified that on November 12 the male tenant threatened her, used abusive language, kicked her and hit her in the face. The police was called and the tenant was arrested.

Analysis

I accept the undisputed evidence of the landlord. I am satisfied that the tenants' behaviour has seriously jeopardized the safety of the landlord.

In the circumstances it would be unreasonable and unfair to require the landlord to wait for a notice to end the tenancy under s. 47 and therefore I find that the landlord is entitled to an order for possession. A formal order has been issued and may be filed in the Supreme Court and enforced as an order of that Court. I further order the tenant to pay to the landlord the sum of \$50.00 being the cost of the filing fee paid pursuant to section 59.

Conclusion

The landlord is granted an early end to tenancy and awarded the \$50.00 filing fee.

Dated November 26, 2009.