



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      ET, FF

### Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondents were served with notice of the hearing, by hand, on November 29, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for an early end to the tenancy, and an order that the respondent bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

### Background and Evidence

The applicant testified that:

- These tenants are causing an ongoing noise disturbance that makes it almost impossible for the other tenants in the rental property.
- The RCMP have attended on nine occasions in the month of October and November due to noise complaints.
- The City Bylaw Enforcement Officer has attended twice due to noise complaints and has sent a letter stating that the landlords will be fined up to \$500.00 per day if this activity continues.



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- The tenants have had numerous warnings however the disturbances continue and therefore the landlord believes an early end to this tenancy is required.

## Analysis

It is my decision that the landlord has shown that the respondents are unreasonably disturbing the other occupants of the rental property to such an extent that it would not be reasonable to allow this tenancy to continue any longer.

Further the city has made it quite clear that if the landlord allows this activity continue they will be fined up to \$500.00 per day.

The landlord has taken all reasonable steps to try and get the tenants to comply however the tenants continue with the ongoing disturbances.

Therefore it is my decision that the landlord does have grounds for an early end to this tenancy.

## Conclusion

I order an early end to this tenancy and have issued an Order of Possession that is enforceable two days after service on the respondents. I also ordered that the respondents bear the \$50.00 cost of the filing fee that the landlord paid for the application for dispute resolution.

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: December 14, 2010.

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Dispute Resolution Officer