



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This is an application to cancel a Notice to End Tenancy that was given for cause.

Some documentary evidence and written arguments have been submitted by the parties prior to the hearing.

I have given the parties the opportunity to present all relevant evidence, and to give oral testimony, and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not to uphold or cancel a Notice to End Tenancy.

Background and Evidence

On September 15, 2014 the tenant was served with a one-month Notice to End Tenancy giving the following reasons:

- Tenant is repeatedly late paying rent.
- Tenant or persons permitted on the property by the tenant has significantly interfered with or unreasonably disturbed another occupant or the landlord.
- Tenant has engaged in illegal activity that has, or is likely to adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant or the landlord.

Both the landlord and the tenant agreed at the hearing that the rent has been late on at least four locations.

Analysis

The Residential Tenancy Act allows the landlord to end the tenancy if rent is repeatedly late and in this case both sides agreed that rent has been late on at least four occasions.

Therefore the landlord does have the right to end this tenancy for repeated late rent, and I will not cancel the Notice to End Tenancy.

Having upheld the Notice to End Tenancy for repeated late rent, there is no need for me to make a finding on the other reasons given for ending this tenancy.

Conclusion

This application to cancel a Notice to End Tenancy is dismissed, and at the request of the landlord, I have issued an Order of Possession that is enforceable two days after service on the tenant.

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: November 17, 2014

Residential Tenancy Branch

