



Dispute Resolution Services
Residential Tenancy Branch
Ministry of Housing and Municipal Affairs

File Number: **910242722**
Decision Dated: April 27, 2026

In the matter of the *Residential Tenancy Act*, SBC 2002, c. 78, as amended

Between

And

RYAN BONAOBRA LUA - (R.B.L.)

Applicant(s) - **Landlord**

Respondent(s) - **Tenant**

Regarding the rental unit located at:

VANCOUVER, BC

Date of Hearing: April 27, 2026, 9:30 AM, by conference call

Attending for the Landlord

Attending for the Tenant

- Ryan Bonaobra Lua

The contents of this decision, including any orders granted within the decision, can be verified online. Go to <https://tenancydispute.gov.bc.ca/PostedDecisions/> and enter the Decision ID: **AnonDec-285821**.

DECISION

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- an Order of Possession based on the Landlord's request for an early end to the tenancy under section 56 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

Landlord E.A., Landlord OTH.A.A. attended the hearing for the Landlord.

Tenant R.B.L. attended the hearing for the Tenant.

Service of Notice of Dispute Resolution Proceeding (Proceeding Package)

The Tenant confirmed receipt of the Landlord's Notice of Dispute Resolution Proceeding and evidence packages via email. I find they were sufficiently served. The Tenant did not provide any documentary evidence.

Issues to be Decided

Is the Landlord entitled to an Order of Possession based on the Landlord's request for an early end to the tenancy?

Is the Landlord entitled to recover the filing fee for this application from the Tenant?

Background and Evidence

I have reviewed all evidence, including the testimony of the parties, but will refer only to what I find relevant for my decision.

Evidence was provided showing that this tenancy began on February 1, 2025, with a monthly rent of \$4,000.00, due on the first day of the month, with a security deposit in the amount of \$2,000.00.

The Landlord explained that they have become aware that the Tenant has started to rent the unit out on a short term basis through various platforms such as AirBnB ad

Booking.com. The Landlords have spoken to people who have stayed there, and they confirmed that they found the rental unit on Booking.com, and that they are from out of country. The Landlord provided copies of messages with these people, as well as evidence of a police incident due to a party/noise by some of the guests. The Landlord stated that short term rentals are not allowed by the strata and also by their insurance. The Landlords stated that the rental unit continues to be rented out on a short term basis and this means the Landlord has no valid insurance on the property. The Landlord stated that this poses a significant risk to the property, with unknown guests coming and going, and not having any coverage in the event of an accident.

The Tenant stated that he has a friend who has keys and access to this rental unit while he is out of town. The Tenant denies having any knowledge of what this friend is up to, and whether or not he is renting it out on a short term basis. The Tenant plans to meet with his friend this week to try and sort out what is going on. The Tenant stated that he uses this place to stay when he is back in town.

Analysis

Is the Landlord entitled to an Order of Possession based on the Landlord's request for an early end to the tenancy?

An early end of tenancy is an expedited and unusual remedy under the Act and is only available to the landlord when the circumstances of a tenancy are such that it is unreasonable or unfair to a landlord or other residents to wait for a notice to end tenancy to take effect, such as a notice given under Section 47 of the Act for cause. Therefore, in this case the Landlord bears a strict burden to prove with sufficient evidence that the tenancy should end early Section 56 of the Act.

An application for an early end of tenancy under section 56 of the Act is reserved for situations where a Tenant poses an immediate and severe risk to the rental property, other occupants, or the Landlord. An application for an early end of tenancy is such that a Landlord does not have to follow the due process of ending a tenancy by issuing a notice to end tenancy which gives the Tenant the right to dispute the Notice by applying for dispute resolution.

Under section 56 of the Act, the director may end a tenancy and issue an order of possession only if satisfied, there is sufficient cause; and, 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 to take effect.

I have carefully considered the evidence and testimony before me and I find the Tenant's behaviour is significant and severe enough as to warrant an early end to the tenancy, pursuant to section 56 of the Act. I find the Tenant's lack of awareness as to what is happening with the rental unit is highly problematic. More specifically, he has allowed another individual access to the unit, and this other person appears to have rented the property out on a short term basis. It also appears he continues to do so.

Even if the Tenant is unaware of what is going on, I find it is incumbent on him to know and be responsible for actions of agents and guests, which is in this case his friend. Ultimately, the Tenant is responsible for the rental unit being rented out on a short term basis. I accept that this poses a significant risk to the Landlord, financially, being without valid insurance, and not being able to control who is coming and going from the unit. As such, I find the Landlord is entitled to an order of possession.

Therefore, I find that the Landlord is entitled to an Order of Possession based on the Landlord's request for an early end to the tenancy under section 56 of the Act.

Is the Landlord entitled to recover the filing fee for this application from the Tenant?

As the Landlord was successful in their application, I find that the Landlord is entitled to recover the \$100.00 filing fee paid for this application under section 72 of the Act. I authorize the Landlord to deduct this amount from the security deposit they hold.

Conclusion

I grant an Order of Possession to the Landlord **effective two (2) days after service of this Order on the Tenant(s)**. Should the Tenant(s) or anyone on the premises fail to comply with this Order, this Order may be filed and enforced as an Order in the Supreme Court of British Columbia.

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 27, 2026



C. Arnsdorf, Arbitrator
Residential Tenancy Branch