

## **DECISION**

**Dispute Codes:** MNDC, RP, RR

This hearing dealt with an application by the tenant for the landlord to make repairs to the unit and to allow the tenant to reduce rent for repairs.

The tenancy began approximately 4 years ago. A monthly rent in the amount of \$525.00 is payable in advance on the first day of each month.

The tenant said that since January of this year, there has been a mice infestation in his unit. The landlord said that previous tenants in the same unit never had any problem with mice. He contended that the cause of the mice problem was the continuous and large amount of garbage left by the tenant outside his door. The tenant did not dispute that he had left garbage outside his unit and submitted photos to show such garbage in several large green garbage bags. He contended that the type of garbage left by him should not attract mice.

Section 32 of the *Residential Tenancy Act* states that the tenant must maintain reasonable health, cleanliness and sanitary standards throughout the rental unit including areas he has access to. In this case, the tenant has continuously left garbage outside his unit and there is insufficient proof to indicate that such garbage would not attract mice. Based on the above, I find that there is a reasonable possibility that the mice infestation was caused by the garbage left outside by the tenant.

Section 32 of the *Act* also states that a tenant must repair damage to the rental unit or common areas that is caused by the actions or neglect of the tenant. Based on my earlier finding that the mice infestation is likely caused by the tenant's garbage, I also find that the tenant is responsible for dealing with the

mice infestation. Accordingly, I dismiss the tenant's application for the landlord to make repair to his unit and to allow the tenant to reduce rent for repairs.