



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes ERP, FF, MNDC, OLC, PSF, RP, RR

Introduction

Some documentary evidence, photo 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 respondent was served with notice of the hearing by registered mail that was mailed on December 17, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a repair order, a request for a monetary order for \$1200.00, a request for a rent reduction, and request that the respondent bear the \$50.00 cost of the filing fee.

Background and Evidence

The applicant testified that:

- When they moved into the rental unit on September 1, 2010 the landlord promised to complete numerous repairs and upgrades to the rental unit.

- Over the term of the tenancy they have made at least a dozen requests to the landlord to complete these repairs and upgrades however the landlord has failed to do so.
- They have had to live in the rental unit with many deficiencies and as a result feel they have not had fair value for the rent they are paying.
- Their privacy has also been disrupted on numerous occasions, by having workers enter the rental unit regularly, yet failed to do the required work.
- At the time of the application they still had the following problems with the rental unit:
 - Missing cupboard doors.
 - Grout missing from the counters.
 - Missing threshold and doorstop for the front door.
 - Missing patio window coverings.
 - Missing TV mount.
 - Multiple broken floor tiles in the kitchen.
- The floor tiles have since been repaired but the remainder of the above items are still required.

The applicants are therefore requesting a repair order, and a rent reduction of \$300.00 per month from the beginning of the tenancy, and continuing until all the repairs are completed.

Analysis

It is my finding that the applicants have shown that they have not received fair value for the rent they are paying for this rental unit due to the numerous deficiencies.

The tenants made numerous requests to have these repairs done, however the landlord has failed to act with reasonable speed to rectify the problems.



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Therefore is my decision that I will allow the tenants request for the return of \$300.00 per month from the beginning of this tenancy, for a total of \$1200.00.

I have also issued a repair order and it is my decision that the \$300.00 rent reduction will remain in place until all of the ordered repairs/upgrades are completed.

I also allow the applicants request for the \$50.00 filing fee.

Conclusion

I have issued a monetary order in the amount of \$1250.00.

I have issued a repair order against the landlord.

I order a rent reduction of \$300.00 per month until all the repairs/upgrades are completed, and therefore if the applicant has already paid the full rent for the month of January 2011, the applicants may deduct that \$300.00 from future rent payable to the landlord.

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: January 11, 2011.

Residential Tenancy Branch