



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RR

Introduction

This hearing dealt with the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking for an order allowing a reduction in rent.

The parties appeared, the hearing process was explained and they were given an opportunity to ask questions about the hearing process.

Thereafter all parties gave affirmed testimony, were provided the opportunity to present their evidence orally and to refer to relevant documentary evidence submitted prior to the hearing, and make submissions to me.

At the outset of the hearing, each party confirmed that they had received the other party's evidence. Neither party raised any issues regarding service of the application or the evidence.

I have reviewed all evidence and testimony before me that met the requirements of the rules of procedure; however, I refer to only the relevant evidence regarding the facts and issues in this decision.

Issue(s) to be Decided

Is the tenant entitled to an order requiring the landlord to hire an employee or in the alternative, allowing a reduction in rent?

Background and Evidence

The parties have been in dispute resolution on several previous occasions, the most recent hearing being held on August 23, 2012 on the tenant's application for dispute resolution seeking an order allowing a reduction in rent. At that hearing, according to the Decision, the matter applied for had been resolved and the tenant requested that his application be withdrawn.

As a result of that hearing, I cautioned the tenant that I would hear evidence only of any new issues occurring since that hearing on August 23, 2012.

However, the tenant continually brought up matters from at least a year ago, which have previously been decided in other dispute resolution hearings.

When questioned as to the relief sought through the present application, the tenant said that he requested an order requiring the landlord to hire an on-site maintenance person to attend to repair issues in a timelier manner. The tenant went on to say that if I did not issue such order, then he requested a reduction in rent.

Analysis and Conclusion

Based on the above oral and written evidence, and on a balance of probabilities, I find as follows:

I find the tenant has not applied for any remedy allowed under the Residential Tenancy Act (the "Act") as there is no provision in the Act allowing me to require that a landlord hire an employee.

As the tenant is well aware, should his requests for repair to the landlord are not sufficiently addressed pursuant to the landlord's requirement under the Act, his remedy is to seek dispute resolution.

As to the tenant's request for an order allowing a reduction in rent, the tenant presented no evidence to establish that he is entitled to a reduction in rent.

Due to the above, I dismiss the tenant's application, without leave to reapply.

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* and is being mailed to both the applicant and the respondent.

Dated: October 19, 2012.

Residential Tenancy Branch