



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Mt. Benson Senior Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes AAT, AS, ERP, FF, LAT, LRE, OLC

Introduction

This hearing dealt with an application by the tenant. The tenant had originally applied for eleven separate issues; however the tenant advised that as of today she wished to address four which I will detail below. Both parties participated in the conference call hearing. Both parties gave affirmed evidence.

Issues to be Decided

Is the tenant entitled to any of her claims under the Act, regulation or tenancy agreement?

Background and Evidence and Analysis

The tenancy began on or about September 1, 2013. Rent in the amount of \$328.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$180.00.

I will address the tenants' issues and my findings as follows.

First Issue- The tenant stated that the ventilation system in the building is dirty and non- functioning. The tenant stated that when the vents did work they would blow out black toxic smoke. The landlord stated that there are two large venting stacks for this building. The landlord stated that they stacks are cleaned twice a year. The landlord stated that one of the fans to the stack was down for a period of time in the summer but has since been repaired and that the system was cleaned on October 20, 2014. The

landlord stated that this should no longer be an issue as the matter has been addressed. I agree with the landlord as this matter has been rectified and that it need no longer be addressed, accordingly I dismiss this portion of the tenants' application.

Second Issue – The tenant stated that the building requires extensive cleaning specifically the common area vent covers and the handrails. The landlord advised that the building is cleaned weekly and that she is more than happy to have the cleaning staff pay extra attention to those two items on the next scheduled cleaning. Based on the agreement made by the landlord on this issue I need not make a finding.

Third Issue- The tenant stated that she is concerned about the landlords screening practices of potential new tenants. The tenant stated that the landlord has allowed a person with a criminal record to rent a unit and persons with addiction issues. The landlord stated that this building has the lowest market rent in the municipality and that they assist all members of society and do not discriminate based on their past. The landlord advised that this society is meant to help those types of individuals and provide a safe clean home.

The landlord stated that they have a vigorous and intensive application process to ensure the most suitable clients are rented to. The landlord stated that in the rare occasion that a person has been problematic they have dealt with them quickly and efficiently in accordance with the Act. Based on all the testimony and evidence submitted I find that the landlord is carrying out their business in Accordance with the Act and I dismiss this portion of the tenants application.

Fourth Issue - The tenant stated that she is concerned about the security of the building and seeks to have the locks to her suite and the common areas changed. The tenant stated that she had directed a fellow tenant into her unit to obtain some information from her computer modem. The tenant stated that the following day the tenant noticed a set of her keys had gone missing. The tenant stated she believes that person stole her keys. The tenant stated that she turned the suite “upside down”

looking for them but to no avail. The tenant stated that two weeks later the keys mysteriously appeared on her coffee table.

The landlord stated that she would be happy to arrange for the tenant to have her suite door locks changed but at the tenants expense. The landlord stated that the tenant is responsible for the breach of her own suite security by allowing this individual in and taking her keys. The landlord stated that there is no basis to change all the common area locks at this time. Based on all of the above the tenant has failed to provide sufficient evidence to support this claim, accordingly I dismiss this portion of her application.

The tenant has not been successful in her application.

Conclusion

The tenants' application is dismissed in its entirety.

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 03, 2014

Residential Tenancy Branch

