



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: MNDC and FF

Introduction

The application was brought by the tenant seeking monetary compensation and restoration of services discontinued after his hotel occupancy was converted to a residential tenancy.

Issue(s) to be Decided

This matter requires a decision on whether the occupancy in question was a tenancy within the meaning of the *Act* and, if so, whether the tenant is entitled to the services claimed.

Background

This occupanc/tenancy began as a weekly rental under the *Hotel Keepers Act* on January 1, 2008 and progressed to a monthly tenancy under the *Residential Tenancy Act* as confirmed by a Dispute Resolution Hearing on August 8, 2009.

Rent is \$595 per month and the landlord holds a security deposit of \$300.

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Evidence, Analysis and Conclusion

In the present hearing, the tenant put forward the following claims which were dealt with as follows:

Loss of Telephone Service

The tenant gave evidence that service to his room telephone had been cut off, a matter of serious concern to him as he has medical issues that can require him to telephone for assistance. The landlord noted that the telephone service had been interrupted as the tenant had incurred unpaid long distance telephone charges. He said service would be restored as soon as those charges were repaid. as the tenant said would be done immediately. That matter was thus resolved.

Loss of Use of Laundry Room

The tenant stated that he was no longer permitted to use the in-house user-pay laundromat. The landlord confirmed that was the case but said that service was provided primarily for short term hotel guests. However, he said there was some necessary variation in this policy because of the differing needs of guests, for example, construction workers who might be resident through the week but not on weekends vs tourists there for a single stay of short duration..

However, given the relative nature of the policy, the landlord stated that he would reinstate the tenant's right to use the laundry facilities. I find that the matter is resolved by that gesture and dismiss the tenant's claim for compensation.

Loss of Weekly Linen Service

I concur with the landlord's position that linen service is a feature more consistent with that provided to short term hotel guests. In the absence of written evidence that such service was available to residential tenants, I find that the tenant is not entitled to such service and that part of his claim is dismissed.

Filing Fee

As the tenant has partially succeeded in this application, I find that the filing fee should be split between the parties and hereby authorize and order that the tenant may withhold \$25 from the next rent payment for that purpose.

Date of Decision: February 27, 2009.

Dispute Resolution Officer