



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNDC, RR

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking monetary orders for compensation under the Act or tenancy agreement and for a reduction in rent.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Issues(s) to be Decided

Is the Tenant entitled to the monetary relief sought?

Background and Evidence

The Tenant submitted a copy of a September 2009 letter she wrote to the Landlord enquiring about two yards lights in the manufactured home park where the rental site is located. The two yard lights are not functioning. The Tenant writes in the letter that she is concerned about safety because, "... years ago we had a bear walk through a few years later a cougar." [Reproduced as written.]

The Tenant testified that a light bulb is needed in one of the yard lights and that the other has a bush which has overgrown it.

The Tenant testified she felt the lights were necessary for her safety entering her rental site. She testified a cougar had been in the bushes outside her home the several nights before.

The Landlord testified that neither of the lights is close to the Tenant's rental site. One is at the back of the park and the Tenant's site is not close to this light. The other light is at the front of the park and has not worked for several years.

The Agent for the Landlord testified that the Tenant does not have a light at her rental site for her to move from her car to her trailer and that the Tenant simply refuses to purchase one. The Agent testified that everyone in the park has a motion detector light at their trailer, so when they drive up they have light to go from their car into their home.

The Agent for the Landlord further testified that she has not seen bears or cougars in the park, which is situated within a mid-sized town.

The Agent for the Landlord then offered to have someone install a motion detector light for the Tenant at her rental site, if the Tenant paid for the light.

The Tenant was willing to discuss this resolution with the Landlord.

Analysis

Based on the foregoing, the evidence and testimony, I find that the Tenant has insufficient evidence to prove her claim.

There was not enough evidence from the Tenant regarding the position of the lights in relation to her rental site to merit a monetary order for loss of a service.

Furthermore, the Agent for the Landlord and the Tenant appeared to be willing to discuss a safer and more practical method to deal with the issue of lighting the Tenant's rental site to her car.

In the event the parties are unable to resolve this dispute, I grant the Tenant leave to reapply if required.

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: June 22, 2010.

Dispute Resolution Officer