



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

**Dispute Codes:** OLC; RP; AAT

### **Introduction**

This is the Tenant's application for an Order that the Landlord comply with the Act, regulation or tenancy agreement; make repairs to the rental unit; and allow access to the rental unit for the Tenant or the Tenant's guests.

The Tenant gave affirmed testimony at the Hearing.

The Tenant testified that she provided the Landlord with the Notice of Hearing documents, by handing the documents to the Landlord at his residence, in the afternoon of August 12, 2010. Based on the affirmed testimony of the Tenant, I am satisfied that the Landlord was served with the Notice of Hearing documents in accordance with the provisions of Section 89 of the Act. Despite being served, the Landlord did not sign into the teleconference and the Hearing continued in his absence.

### **Preliminary Matters**

At the outset of the hearing, the Tenant stated that the Landlord has made the required repairs to the washing machine. Therefore this portion of the Tenant's application is dismissed.

### **Issue(s) to be Decided**

- (1) Should the Landlord be ordered to provide the Tenant with a copy of the tenancy agreement?
- (2) Should the Landlord be ordered to provide the Tenant with a receipt for rent paid?

- (3) Is the Landlord entitled to restrict the number of guests the Tenant may have at the rental unit?

### **Background and Evidence**

The Tenant testified that the tenancy started on June 13, 2010. The Tenant stated that she signed a tenancy agreement, but has not been provided with a copy of the agreement.

The Tenant testified that monthly rent is \$800.00. She stated that she paid August rent, by giving the Landlord \$716.00 in cash and the remainder of \$84.00 was paid by cheque. The Tenant testified that she asked for a receipt, but the Landlord has not given her one.

The Tenant testified that the Landlord is attempting to restrict her right to have guests at the rental unit. She testified that she has one or two guests at a time, not often, and that they do not stay overnight.

### **Analysis**

Section 13 (3) of the Act provides that a Landlord **must** give the Tenant a copy of the rental agreement within 21 days of signing the agreement. Therefore, I order the Landlord to comply with Section 13(3) of the Act and provide the Tenant with a copy of the rental agreement immediately.

Section 26(2) of the Act provides that the Landlord **must** provide the Tenant with a receipt for rent paid in cash. Therefore, I order the Landlord to comply with Section 26(2) of the Act and provide the Tenant with a receipt for August's rent payment.

While the Tenant is living in the rental unit, the rental unit is her home. The Landlord has no authority under the Act to restrict her from having guests visit her home.

**Conclusion**

The Landlord is hereby ordered to comply with Section 13(3) of the Act and provide the Tenant with a copy of the tenancy agreement immediately.

The Landlord is hereby ordered to comply with Section 26(2) of the Act and provide the Tenant with a receipt for rent paid in August, 2010. The Landlord is further ordered to provide the Tenant with receipts for any future rent paid in cash.

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: October 06, 2010.

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