

DECISION

Dispute Codes ERP, RP, PSF

Introduction

This hearing dealt with an application by the tenant for emergency repairs, to have the landlord make repairs, to have the landlord provide services or facilities. Both parties participated in the conference call hearing.

Issues to be Decided

Is the tenant entitled to any of the above under the Act.

Summary of Background and Evidence

This tenancy started approximately 5 years ago and the tenant pays a monthly rent of \$450.00. The tenant has occupied room 423 for the past 2 years.

The tenant testified that he has no heat in his room, there is no heat in the building from 7:00 AM to 6:30 PM, there is no hot water in his room, the cold water is yellow, the paint is flaking off the ceiling in his room and his room has cockroaches.

The landlord's agent testified that the landlord is aware of the problems in the tenant's room but that in order to renovate the room the landlord requires that the tenant temporarily move into an alternate room. The landlord's agent stated that the heat and water concerns will be addressed with the installation of new plumbing and the flaking paint will be addressed with the room being completely re-painted. The landlord's agent estimates that it will take two to three months for the renovation to be completed.

The landlord's agent stated that the building heat is not turned off during the day, that the building is checked weekly by a pest control company and that the tenant's room was recently checked for bugs and none were found.

The landlord's agent stated that room 420, 3 doors down from the tenant's room, is currently available for the tenant to relocate to and that the heat and hot water in room 420 are both working.

An agreement was reached between the parties in this hearing that:

- The tenant will temporarily relocate to a room with working heat and hot water to allow the landlord access to renovate room 423.

- The tenant and landlord will meet and by January 27, 2011, locate an alternate room for the tenant to move to.
- The tenant will be allowed to check the temporary room prior to relocating to make sure it is suitable IE: working heat and hot water, no yellow water.
- The tenant upon locating an acceptable room will vacate by February 4, 2011, room 423.
- The landlord will commence renovating room 423.
- Renovations will include new plumbing and the room repainted.
- Upon completion of the renovations in room 423 the tenant will be allowed to move back into room 423.
- The tenant's rent will remain \$450.00.

Conclusion

An agreement has been reached between the parties and through this agreement the landlord will effectively complete the required repairs to the tenant's room.

I am satisfied that the landlord routinely addresses the issue of bugs in the building and that the landlord does supply heat to the building between the hours of 7:00 AM to 6:30 PM.

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: January 21, 2011

Residential Tenancy Branch