



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      OLC

### Introduction

This hearing was convened in response to an application filed by the tenant. The tenant seeks an Order that the landlord be compelled to comply with the Act.

The tenant appeared at the hearing however the respondent landlord did not appear. The tenant gave testimony under oath.

The tenant testified that he served the landlord with the Notice of Hearing in person on February 18, 2011. I will accept the tenant's evidence in this regard and find that the landlord had proper notice of this hearing.

### Issue(s) to be Decided

Should the landlord be ordered to comply with the *Residential Tenancy Act*?

### Background and Evidence

The tenant says that the landlord is unreasonably restricting access to his guests in particular to his worker from the Union Gospel Mission. The tenant says the landlord does not use the intercom to inform the tenant that he has a guest and the guest is turned away.

### Analysis

Section 30 the Residential Tenancy Act protects the tenant's right of access to the rental unit. It says:

**Tenant's right of access protected**

- 30** (1) A landlord must not unreasonably restrict access to residential property by
- (a) the tenant of a rental unit that is part of the residential property,
  - or
  - (b) a person permitted on the residential property by that tenant.

Based on the undisputed evidence of the tenant that the landlord is restricting access to the rental property to the tenant's guests, I will allow the tenant's application and **ORDER** the landlord to comply with the Residential Tenancy Act, in particular Section 30(1)(b).

Should the landlord fail to comply with this Order the tenant may seek compensation for damage or loss.

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*.

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