



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, FF, RP

Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on September 3, 2011, however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an order for the landlord to make repairs to the heating system at the rental property, and a request for recovery of the filing fee.

Background and Evidence

The applicants testified that:

- The landlord sent a heating system engineer to the rental property to clean the forced air systems.

- While at the property the heating system engineer informed them that the dryer ventilation was illegally connected to the furnace duct and that this should be rectified as opposed a safety risk.
- They informed the landlord of the problem and the rent collector, who is not a qualified furnace engineer, came over and change the system.
- Since the rent collector is not a qualified furnace serviceman they requested that the landlord have a qualified person verify the work done however the landlord has refused to do so.
- They have also asked the landlord to have the furnace at the rental unit serviced, because the service sticker states that it was due for a service in February of 2011, however again the landlord has refused the request.
- They are therefore requesting an order for the landlord to have the heating system inspected and the furnace serviced by a qualified heating system engineer.

Analysis

It is my decision that I will allow the tenants request to have the heating system inspected and the furnace serviced by a qualified service person.

I accept the tenant's testimony that a qualified heating system serviceman informed them that the system was not safe.

I also accept the tenant's testimony that the person who came and made changes to the heating system was not a qualified heating system serviceman.

I therefore share the tenants concern for the safety of the heating system.

I also allow the request for recovery of the \$50.00 filing fee

Conclusion

I have issued an order for the heating system to be inspected by qualified heating system professional, and also ordered that the furnace be serviced by a qualified heating system professional.

I further order that the tenants may make a one-time deduction of \$50.00 from future rent payable to the landlord to cover the cost of the filing fee.

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: September 30, 2011.

Residential Tenancy Branch