



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes**      OLC; ATT; FF

### **Introduction**

This is the Tenant's application for an Order that the Landlord comply with Section 30(1)(b) of the Residential Tenancy Act; an Order that the Landlord allow access to the rental unit for the Tenant or his guests; and to recover the cost of the filing fee from the Landlord.

Both parties appeared and provided affirmed testimony.

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

- Should the Landlord be ordered to comply with Section 30 of the Act?
- Should the Landlord be ordered to provide the Tenant's guests with access to the rental unit?

### **Background and Evidence**

The Tenant provided the following testimony:

- On April 1, 2012, in the early morning, the Tenant's son was verbally harassed by the Landlord's employee (the "Duty Manager"), who shouted vulgarities at his son and stopped him from visiting the Tenant.
- On April 2, 2012, the Tenant wrote a complaint to the Manager of the rental property, a copy of which was provided in evidence.
- On April 5, 2012, the Duty Manager yelled at the Tenant's son again in a public area of the rental property. The Tenant submitted that these actions caused embarrassment to his son and that this is harassment.
- Over the previous two years, the Tenant has written two letters of complaint about the Duty Manager with respect to his bullying and abusive behaviour.

The Landlord provided the following testimony:

- The Landlord agreed that the Duty Manager's behaviour was unacceptable.
- The Duty Manager no longer works at the rental property, effective April 16, 2012.

The parties had some discussion about security measures at the rental property and were in agreement that the Landlord had a responsibility to all of the tenants in the building with respect to their security as well as a right to manage security in the building. The Landlord also stated that guests will no longer be required to provide their names to the Landlord's agents when entering the building, but will be required to let the security guard know which suite they are visiting.

### **Analysis**

Section 30(1) of the Act provides:

#### **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 testimony of both parties, I find that the Landlord complied with Section 30 of the Act after receiving the letter of complaint from the Tenant by removing the Duty Manager from employment with the Landlord. Therefore, I find that it is not necessary to Order the Landlord to comply with the Act and allow access to the rental unit to the Tenant's guests.

### **Conclusion**

The Tenant's application is dismissed, as the Landlord has attended to the issues raised in the Tenant's letter of complaint dated April 2, 2012.

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: April 24, 2012.

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Residential Tenancy Branch