



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI, MNDC, OLC, PSF

Introduction

A small amount of 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 testified that the respondent(s) were served with notice of the hearing by personal service on December 28, 2012; however the respondent(s) 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 an application to dispute an additional rent increase, a request for a monetary order in the amount of \$1000.00, a request for an order for the landlord to comply with the Residential Tenancy Act, and request for an order for the landlord to provide services or facilities required by law.

Background and Evidence

The applicant testified that:

- He has been living at this location for 46 months and has been paying rent of \$370.00 per month, which included utilities and cable.
- The landlords recently gave all tenants a notice stating that as of January 1, 2013 they would be required to pay \$15.00 per month for cable.
- When he disputed this charge for cable with the landlords, he was met with verbal abuse and intimidation from the landlords.
- The landlords have now subsequently withdrawn the requirement to pay for cable and have issued a proper notice of rent increase.
- He therefore has not had to pay for cable, and does not dispute this new proper rent increase notification; however he believes he should be compensated for his

time spent dealing with the situation, and for the abuse and intimidation he had to endure from the landlord's.

Analysis

As stated above the good number of the issues originally applied for have now been resolved.

The applicant is still requesting compensation, however it's my decision that I will not issue any order for compensation.

If a landlord is not complying with the requirements of the Residential Tenancy Act, the tenant has the right to file for dispute resolution to have the issue dealt with; however there is no provision under the Residential Tenancy Act that would require that the tenant be compensated for his time spent dealing with the issue.

The tenant is also requesting compensation for allegedly having to endure abuse and intimidation, however although he has claimed that he suffered abuse and intimidation from the landlords, he has provided no supporting evidence and therefore it's my finding that he is not met the burden of proving that there was any loss of quiet enjoyment that would justify compensation.

Conclusion

The application for monetary compensation is dismissed without leave to reapply.

The applicant has withdrawn the remaining portions of this application.

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 24, 2013

Residential Tenancy Branch

