



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Belmont Property
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, OLC, ERP, RP, RR and O

Introduction

By application of March 18, 2013, the tenant sought a monetary award for loss or damage under the legislation or rental agreement, orders for emergency repairs, repairs and landlord compliance with the rental agreement and legislation, a rent reduction and other unspecified remedies.

At the root of the application are the tenant's claims that her bathroom is in need of repair, that she has been harassed by the landlord's staff, and that she has been disturbed by bed bug treatments.

The landlord's representatives stated that they had already attempted to gain access to the rental unit to begin work on the bathroom, but the tenant had not accommodated those efforts. They deny having harassed the tenant and have asked for relief from the tenant's repeated applications. They stated that the tenant's rental unit was the only one in the rental building that had required treatment for bed bugs.

I note that in a hearing in November 2012, the tenant's application was dismissed without leave to reapply on a finding that she had similarly failed to accommodate efforts to replace her kitchen counter.

The tenant did not appear at a hearing convened on her application held in January 2013 which absence she said resulted from the passing of her mother at the time.

The tenant had submitted a letter from a physician dated April 11, 2013 stating that the tenant had been ill for the previous two weeks and unable to do the paperwork in time for the present hearing.

That was the only documentary evidence submitted by either party and I do not find it sufficient to arrive at a conclusion on the present application. In addition, as the tenant appears to have had time prior to and following the illness reported by a doctor to prepare evidence, I do not find it appropriate to adjourn the present hearing as requested by the tenant.

As the bathroom, bedbug treatment and harassment issues appear not to have been raised in the previous hearing, and because at least the bathroom issue appears to be imminently resolvable, I dismiss the present application with leave to reapply.

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 22, 2013

Residential Tenancy Branch