



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, MNDC, MNR, OLC, PSF, RR

Introduction

This is an application for a monetary order for \$1300.00, a request for an order for the landlord to comply with the act, a request for an order for the landlord to make emergency repairs, to make repairs, and to provide services or facilities provided by the law. The applicant was also requesting an order to reduce the rent for repairs services or facilities agreed-upon but not provided.

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

At the beginning of the hearing the tenant stated that she is not pursuing a monetary order against the landlord or a rent reduction, these were items were only added on the advice of the Residential Tenancy Branch.

Therefore the only remaining issue is whether or not the applicant has established a claim for repair order against the landlord.

Background and Evidence

The tenant testified that:

- Her main concerns are problems with the two showers in the rental unit, and with the mould throughout the rental unit.
- She wants both the showers properly repaired, and she wants the landlord to address the mould issue in the rental unit.
- The mould issue is worse in the winter as there are poor windows in the house and they freeze over from condensation.

The landlord testified that:

- He has done some work in the bathrooms, and is fully willing to work with the tenant to resolve the issues in the bathrooms.
- He is not sure what is causing the mould issues in the rental property, he believes this may be due to poor ventilation however he is willing to work with the tenant to see if they can resolve the mould issue.
- The windows in the house are older double slider aluminum windows, and yes they do freeze up in the winter however thats simply because of the type of window.

In response to the landlord's testimony the tenant stated:

- She would be willing to work with the landlord to try and resolve the problems with the showers and the mould issues, but only if the landlord takes this seriously.

Analysis

It is my decision that I will not issue any orders at this time because both the landlord and the tenant have shown a willingness to work together to try and resolve the issues in the rental property.

Both the landlord and the tenant have stated that they believe it's important to get these issues resolved and I therefore suggest that they work together to try and resolve these issues as soon as possible.

The landlord stated that he will repair both the showers in the rental property and make sure they are working properly, and although he was not clear on what could be done

for the mould, hopefully working together they can find some solution because if it is a humidity problem in the rental property there are things such as dehumidifiers that can make a difference and may resolve the mould issues.

Further there may be some things that the tenants can do to reduce the humidity levels in the rental unit.

That being said, if these problems are not resolved within a reasonable time, the tenant is free to apply for dispute resolution again to have an Arbitrator deal with the matter.

Conclusion

This application is dismissed with leave to reapply if the problems are not resolved within a reasonable time.

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: June 03, 2013

Residential Tenancy Branch

