



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NORTH PARK SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, FF, O

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to have the landlord comply with the Act, regulation and to recover the filing fee for the claim.

Both parties appeared, gave testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

Issue to be Decided

Should the landlord be ordered to comply with the Act?

Background and Evidence

The tenant stated that on March 22, 2013, she sent a service request to the landlord requesting to have video camera surveillance installed on the fourth floor and in the two laundry rooms, which are on the sixth and twelve floors. The tenant state that service request was denied by the landlord.

The tenant stated that she wants a specific time allotted to her for her use only of the shared laundry facilities.

The landlord's agent stated they are not under any obligation to install video camera surveillance in the building. The agent stated installation in common areas in multi-unit residential facilities is a contravention of the Personal Privacy Act.

The landlord's agent stated that the laundry facilities are open from 8am to 8pm. The agent stated the laundry facility is shared by approximately two hundred people residing

in the building and it would be impossible and unreasonable to allot a special time only for the tenant to use of the facility.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The evidence of the tenant was that she would like video camera surveillance installed in certain areas of the building. The evidence of the landlord was that they are not prepared to install such equipment and claim that it could be a privacy violation.

Under the Act the landlord is required to repair and maintain the rental building. I find there is no provision under that Act, that the landlord is required to install video camera surveillance. I find the tenant has failed to prove a violation of the Act by the landlord. Therefore, I dismiss this portion of the tenant's application.

The evidence of the tenant was that she would like her own allotted time to use the shared laundry facility. The evidence of the landlord was that this is a shared facility and is used by approximately 200 other people and would be impossible to allow one tenant special privileges. I find the tenant's request is unreasonable and it would be unfair to the other people who reside in the building to restrict their access to the shared facility solely for the purpose of give the tenant her own allotted time. Therefore, I dismiss this portion of the tenant's application.

In light of the above, the tenant's application is dismissed. The tenant is not entitled to recover the cost of the filing fee from the landlord.

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 05, 2013

Residential Tenancy Branch

