



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## ADecision

Dispute Codes      MNDC, ERP, RP, FF

### Introduction

A hearing was conducted by conference call in the presence of the tenant applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the landlord on December 2, 2013. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order for repairs?
- b. Whether the tenant is entitled to an order for the abatement of past or future rent and if so how much?
- c. Whether the tenant is entitled to a monetary order?

### Background and Evidence

The tenancy began approximately 8 to 9 years ago. The present rent is \$403 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit at the start of the tenancy although he cannot remember how much he paid.

In late September 2013 the landlord turned off the water to the sink in the tenant's room because of a leak in the plumbing which was damaging the downstairs suite. In order to

make the repairs the landlord cut off the water to the sink in the tenant's room. The water has remained cut off until the date of the hearing. There have been disputes between the parties with regard to notice to be given by the landlord to gain access to the rental unit. The tenant also expressed concern about the landlord's agent leaving his room unlocked for periods of time.

The tenant testified that he uses the sink for washing, shaving, drinking water, doing dishes and cooking. There is a bathroom down the hall. He testified he is inconvenienced significantly by having to go down the hall to get water.

#### Repair Order

I ordered the landlord restore the water to the sink in the tenant's room by January 31, 2014.

#### Monetary Order:

The tenant seeks a monetary order in the sum of \$400. I determined the tenant's enjoyment of the rental unit has been reduced because of the lack of running water to his sink since late September until the date of the hearing. The tenant has been significantly inconvenienced in that he cannot do basic things such as obtaining a glass of water, shaving, washing dishes and washing without having to go outside of his room. I determined the tenant is entitled to compensation in the sum of \$300 per month for the period commencing late September 2013 and ending January 31, 2014.

I further order that if the landlord fails to restore the water to the sink in the tenant's room by January 31, 2014 the rent shall be reduced by \$75 per month commencing February 1, 2014 and on the first day of each month thereafter until the water is restored.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

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 14, 2014

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Residential Tenancy Branch

