



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Vancouver Management Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ERP, RP

Introduction

This hearing dealt with an application by the tenant seeking an order to have the landlord make emergency repairs for health and safety reasons, and to make repairs to the unit, site or property. Both parties participated in the conference call hearing. Both parties gave affirmed evidence.

Issues to be Decided

Is the tenant entitled to any of the above under the Act, regulation or tenancy agreement?

Background and Evidence

The tenant gave the following testimony:

The tenant stated that his unit is infested with cockroaches, fruit flies, daddy long legs, rodents and ants. The tenant stated the problem began in January 2014 and it's widespread throughout the entire building. The tenant stated much of the problem is that he lacks a storage locker to store his belongings. The tenant stated that if he were living at Kilkea Castle this wouldn't be an issue. The tenant stated that the landlords having conducted themselves to the point of "malfeasance, slanderous, libelous and completely illegal". The tenant stated that his health has suffered greatly from this infestation.

The landlord gave the following testimony:

The landlord stated that he agreed with the tenant that there is a cockroach and rodent problem. The landlord stated that the tenant is the cause of this problem. The landlord stated that they have been alerted by the neighbouring tenant of this situation and that the source of the problem is the subject tenants unit. The landlord stated that they have

had pest control technicians', authorities from the city as well as mental health workers to assist the tenant. The landlord stated that due to the poor conditions of the unit they have been unable to abate this problem. The landlord stated that the tenant has refused the services of several volunteer groups to assist him. The landlord stated the tenant refuses to prepare and then maintain the unit in a condition that would reduce infestations. The landlord has suggested to the tenant that an advocate or mental health worker would be beneficial to him but the tenant has refused.

Analysis

The tenant was extremely agitated during the hearing. I cautioned the tenant numerous times about his behaviour about his insistence at interrupting when the landlord was providing testimony. The tenant would interject and stray off on an unrelated topic and would get louder and louder.

The tenant did not provide any documentation for this hearing, the landlord did. The landlord provided extensive documentation to illustrate the steps taken to abate the problem. I find that the landlords are conducting their business in accordance with the Act. Based on all the testimony and the documentation before me the tenant has not satisfied me of his claims. I dismiss the tenant's application in its entirety.

Conclusion

The tenants' application is dismissed in its entirety.

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: May 26, 2014

