



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP, MNDC, RR, O

Introduction

This is a request for a Monetary Order for \$600.00, a request for an Order for the landlord to make repairs to a unit, and a request to allow the tenant to reduce the rent repair services or facilities agreed upon to provide.

Some written arguments have been submitted prior to the hearing.

I have given the parties the opportunity to present all relevant evidence, and to give oral testimony, 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

Both the landlord and the tenant agreed that this tenancy is ending at the end of June 2014, and therefore I will not be dealing with any request for repairs to the rental property.

I therefore dealt with the following issues at the hearing:

Has the applicant established a monetary claim against the respondent?

Is the applicant entitled to a rent reduction?

Background and Evidence

The applicant testified that:

- When she rented this unit it came with a washer and dryer in the basement, however she has been unable to use that washer and dryer due to a large amount of water leakage into the basement and the large amount of standing water.
- As a result of being unable to use the basement and the washer and dryer, she believes she has paid approximately \$600.00 in laundromat costs.
- She therefore believes of the landlord should be reimbursing her for the laundromat costs, and that she should also have a rent reduction for loss of use of the basement area and laundry facilities.
- She has withheld \$1940.00 in rent in an attempt to force the landlords do repairs.

The landlord testified that:

- Laundry facilities were never part of the tenancy agreement although there may have been a washer and dryer in the basement of the rental unit when the tenant moved in.
- The tenant knew at the beginning of the tenancy that the basement area was really an unusable area as it's not even full height.
- There have been some water issues in the basement of this rental property; however they had no complaints from the tenant until she was served with a Notice to End Tenancy for nonpayment of rent.
- They were willing to have a plumber investigate the water leakage into the basement area; however they could not afford to do so as the tenant was well behind on the rent, as she has withheld rent without any authority to do so.

Analysis

The tenant claims to have paid \$600.00 for laundromat costs; however she has provided no copies of any receipts for money paid for laundromat costs. I am therefore, not willing to issue an Order for any laundromat costs.

The landlord has admitted however that there is water seepage problems in the basement of this rental unit, and therefore is my finding that the tenant has not had full

value for rent paid. I am therefore willing to allow a rent reduction to the tenant of \$100.00 per month from the date she applied for dispute resolution.

I will not allow any rent reduction for the months prior however as the tenant could have applied for repair Order at the time the problem first arose and thereby mitigated any further loss.

Therefore the total amount of rent reduction that I have allowed is as follows:

April 24, 2014 to April 30, 2014	\$23.33
May 2014	\$100.00
June 2014	\$100.00
Total	\$223.33

Conclusion

The tenant's application for a Monetary Order for laundry costs is dismissed without leave to reapply.

The request for a repair Order is dismissed without leave to reapply as this tenancy as ending.

I have allowed total rent reduction of \$223.33 and therefore the tenant may deduct that amount from the large amount of outstanding rent owed to 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 13, 2014

Residential Tenancy Branch

