



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, PSF, RR

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

Further I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord on October 27, 2014. With the consent of both parties I added the corporate landlord as a respondent in these proceedings. 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 that the landlord provide services or facilities required by law by restoring the electricity to the rental unit?
- 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 corporate respondent has rented the rental property from a third party. The individual respondent operates the corporate respondent. The property has a detached house and a large

backyard where the corporate respondent can park its vehicles. There are additional trailers on the property.

The respondent rented a number of rooms to individuals including the applicant. The tenancy started on July 1, 2014. The tenant paid rent of \$375 per month payable in advance on the first day of each month. The tenant testified the Ministry paid a security deposit on his behalf and he is uncertain exactly how much was paid.

Around the middle of October B.C. Hydro disconnected the power to the rental property as the hydro bill was not paid. The individual respondent testified one of the tenants (who no longer lives there) withheld the mail and she was not able to make a part payment thus ensuring the continuing supply of power. As a result the power was disconnected by Hydro and it will cost more than \$5000 to reconnect the power.

The tenant stated he was not interested in a monetary order or an order for the reduction of rent. He was seeking an order that the landlord reconnect the power only

Analysis

I determined that electricity was part of the rent. **As a result I ordered that the landlord reconnect the hydro immediately.**

I dismissed the claim for a monetary order and for a reduction of rent as the tenant stated he was withdrawing that claim. The tenant has liberty to re-apply as I have not decided this claim on its merits.

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: December 03, 2014

Residential Tenancy Branch

