



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, RR

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a monetary order for compensation for damage or loss under the Act, to have the landlord comply with the Act, regulations, to have the landlord make repairs to the unit, to return the tenant's personal property, and to allow a tenant to reduce rent for repairs.

Both parties appeared, gave affirmed 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.

Preliminary issue

At the outset of the hearing the tenant indicated that the landlord does not have any of the tenant's personal property as this box was accidentally check off on their application.

Issues to be Decided

Is the tenant entitled to a monetary order for compensation for damage or loss?

Should the landlord be ordered to comply with the Act?

Should the landlord be ordered to make repairs to the unit?

Is the tenant entitled to reduce rent for repairs?

Background and Evidence

The tenant testified that the landlord had put a drain cleaner down her bathroom sink, however, that was not sufficient to unclog the sink and it is still not draining properly.

The tenant testified that the pipe under the bathroom sink is leaking.

The tenant testified that the toilet is leaking water onto the floor and there is a discoloration coming from the baseboard by the tub.

The landlord testified that he will attend the rental unit on January 22, 2014, between 9 am and 10 am to investigate the blocked drain. The landlord stated that he was not notified of the toilet leak or about any discoloration coming from the baseboard. The landlord agreed to inspect and if necessary make the necessary repairs to these items within seven days.

Analysis

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

In this case, the landlord has agreed to attend the rental unit on January 22, 2014, between the hours of 9 a.m. and 10 a.m. to inspect, the plugged bathroom sink, the leaking bathroom pipe, the leaking toilet and the discolored baseboard.

If repairs are required the landlord will make the necessary repairs within seven days. As a result, I find it not necessary at this time to order the landlord to make the repairs.

As the tenant chose to exit the hearing, prior to the tenant presenting the balance of their claim and the landlord was ready to proceed. I dismiss the balance of tenant's application without leave to reapply.

Conclusion

The landlord agreed to inspect and if necessary make repairs.

The tenant exited the hearing prior to balance of their claim being heard. Therefore, I dismiss the tenant's application without leave to reapply.

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 23, 2015

Residential Tenancy Branch

