



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Lookout Emergency Aid Society  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes: RP, RR

### Introduction

This hearing concerns the tenant's application for an order instructing the landlord to make repairs to the unit, site or property / and permission to reduce the rent for repairs, services and facilities agreed upon but not provided. Both parties attended and gave affirmed testimony.

### Issue(s) to be Decided

Whether the tenant is entitled to the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

Pursuant to a written tenancy agreement, a copy of which is not in evidence, it is understood that tenancy began on December 01, 2012. Monthly rent is \$375.00. It appears that while a security deposit was collected, the exact amount is in dispute.

The tenant has identified the following 3 particular concerns:

- the **bathroom fan** does not function, so that steam arising from hot water use of the shower leads to activation of the smoke alarm;
- **hot water pressure** in the **faucet(s) located in either or both the kitchen and bathroom** is inadequate;
- the **kitchen faucet** is located too low to the sink, such that it is difficult to fit pots and so forth beneath the faucet for washing.

### Analysis

Section 63 of the Act addresses the **Opportunity to settle dispute**, and provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion led to a partial resolution and it was specifically agreed as follows:

### **RECORD OF SETTLEMENT**

- that the landlord will conduct a unit inspection on **Thursday, June 25, 2015**;
- that the parties will **communicate with each other verbally** in order to confirm the exact **start time of the unit inspection**;
- that the **tenant will ensure** that access to, and safe movement within the unit during the inspection is not impeded by any of her possessions;
- that the **landlord will assess** the tenant's 3 concerns during the inspection;
- that the **landlord will inform** the tenant of the outcome of the assessment of her concerns, and will **complete any repairs deemed necessary and / or remedy any deficiencies** within a **reasonable period of time**.

### Conclusion

The parties achieved a partial settlement of the dispute during the hearing. In the absence of sufficient evidence that the landlord has previously been informed of these 3 particular concerns, or that these concerns have significantly diminished the value of the tenancy, the tenant's application for a reduction in rent is dismissed.

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 22, 2015

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Residential Tenancy Branch

