DECISION

Dispute Codes: O

Introduction:
This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

a)   That the tenant complies and completes a condition inspection report with the landlord and list what is the landlord's property and to what the tenant lays claim?

SERVICE:
Both parties attended and the tenant agreed they received the Application for Dispute Resolution. I find that the tenant was properly served with the documents according to sections 88 and 89 of the Act.

Issue(s) to be Decided:
Should the tenant be ordered to comply and do a condition inspection report with the landlord and list anything to which he lays claim?

Background and Evidence:
Both parties attended and were given opportunity to be heard, to present evidence and to make submissions. The undisputed evidence is that the tenancy commenced about 8 years ago under another landlord and no condition inspection report was done. The present landlord bought the property in 2014 and no condition inspection report was done. The landlord said he wanted to do a condition inspection report now for the purposes of ascertaining the condition of the property in order to deal with the security deposit and to find out what renovations the tenant had done and what property he claimed. He said the tenant physically barred him from entry when he tried to inspect under section 29 of the Act.

The tenant said according to section 23 and 35 of the Act, the condition inspection report should be done at the beginning and end of the tenancy, not in the middle. He said the landlord has served him a Notice to End Tenancy for his own use of the property and there is a hearing scheduled in October on this. He said he opposed the landlord entering his property to do an inspection for he came with a video camera and an unknown person to do a general inspection. He said he has no objection to the

landlord doing an inspection with proper notice according to section 29 of the Act and he will give him a list of renovations that he, the tenant, completed. He said he is willing to participate in a Condition Inspection Report although it is rather meaningless at this point as none was done at the start of his tenancy.

On the basis of the solemnly sworn evidence presented at the hearing, a decision has been reached.

Analysis

I find section 29 of the Act provides that a landlord may inspect a rental unit monthly with notice at least 24 hours, and not more than 30 days before the entry, specifying the purpose and the time of entry. As there have been disagreements between the parties, the landlord requests that I issue an Order to effect this pursuant to section 29(1) (d).

As discussed with the parties in the hearing, a condition inspection report at this late date in the tenancy is of very limited value as the condition of the unit when the tenancy began is undocumented. However, I find the tenant has agreed to participate in a Condition Inspection Report with proper notice and to provide a list of renovations to the landlord provided no video taping or photographs are taken to protect his privacy.

Conclusion:

No filing fee was requested or ordered. Pursuant to my authority under section 29(1) (d) and the agreement of the tenant,
I HEREBY ORDER:
1) **That the landlord accompanied by a Professional may conduct a condition inspection report after giving sufficient Notice of Entry to the tenant in accordance to section 29 of the Act. To protect his privacy, no videos or photographs may be taken without the tenant's written permission.**
2) **That the tenant provides the landlord with a list of renovations that have been done together with a list of property which he claims as his own.**

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: September 09, 2015

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Residential Tenancy Branch