



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, LRE, MNDC, OLC

Introduction

This is an application brought by the tenant requesting a Monetary Order in the amount of \$5603.75, an Order for the landlord to make repairs to the rental unit, and an Order to suspend or set conditions on the landlord's right to enter the rental unit.

Some documentary evidence and written arguments have been submitted by the parties prior to the hearing. I have thoroughly reviewed all relevant submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All parties were affirmed.

Issue(s) to be Decided

The issues are:

- Whether or not the applicant has established monetary claim against the respondent and if so in what amount.
- Whether to Order the landlord to make emergency repairs to the unit.
- And whether to suspend or set conditions on the landlord's right to enter the rental unit.

Background and Evidence

The applicant/tenant testified that she has had a problem with Pharaoh ants in the rental unit for the past year and claims that as a result she has had the following financial losses:

Sons mattress	\$100.00
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Tenants mattress	\$300.00
Another mattress	\$375.00
One year of food	\$3000.00
Washer and dryer	\$300.00
Clothing	\$1000.00
Bedding	\$500.00
Area rugs	\$400.00
Total	\$5975.00

The applicant further testified that she does not believe that the landlords are doing a reasonable job of dealing with the Pharaoh ant problem, as she claims she has been told by a pest-control company that the entire building should be fumigated, and therefore she is requesting an Order that the landlords have the building fumigated.

The landlords testified that they have been dealing with pest-control companies to try and rectify this problem and they have diligently followed the advice of the pest-control companies.

The landlords further testified that the pest-control companies advise them that the only way to get rid of Pharaoh ants is to place bait stations throughout the building so that the ants will take the bait back to the ant nests where all the ants will eventually be poisoned.

The landlords further testified that the advice given to them by the pest-control company was that fumigated the building would only make the problem worse because it causes the nests to divide and eventually the problem becomes even worse, and therefore they have followed the pest-control company's advice and have placed bait stations throughout the building.

Landlords believe that they are doing everything that can be done to try and rectify the problem, and although it may take some time, they have been informed that this is the only solution available and therefore they believe the tenant's application should be dismissed.

Analysis

First of all I would like to state that the applicant has supplied absolutely no evidence whatsoever in support of her claims, however the respondents have supplied a significant amount of evidence to support their side of this issue.

I have reviewed the evidence provided by the landlords, and it is my finding that the landlords are taking reasonable steps to try and rectify the Pharaoh ant problem in this rental property. The landlords have provided evidence from pest-control companies that clearly show that the landlords are following the advice of the pest-control companies and therefore I will not be issuing any Order for the landlords to fumigate the property.

Further, although the tenant claims that she has had to throw out numerous belongings and has lost a significant amount of food due to the Pharaoh ant problem, she has provided no evidence in support of this claim. I therefore will not be issuing any Monetary Order.

The applicant did not make any arguments with regards to suspending or setting conditions on the landlord's right to enter the rental unit and I therefore make no findings with regards to this issue.

Conclusion

This application is dismissed in full 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: December 10, 2015

Residential Tenancy Branch

