



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      RP

### Introduction

This hearing dealt with the tenant's application for repairs. The tenant called in to the teleconference hearing, but the landlord did not.

The tenant stated that on February 1, 2016 he personally served the landlord with the application for dispute resolution and notice of the hearing. I accepted the tenant's testimony that he served with notice of the hearing as stated, and I proceeded with the hearing in the absence of the landlord.

### Issue(s) to be Decided

Should I order the landlord to make repairs?

### Background and Evidence

The tenant stated that his tenancy began in 2005. The tenant stated that in early December 2015 he served the landlord with a written request for repairs, but the landlord did not carry out any of the requested repairs aside from the request regarding the fridge.

The tenant has requested repairs as follows:

- 1) the oven does not heat up properly;
- 2) the bathtub is chipped and stained, and was installed improperly so that the caulking is now going mouldy;
- 3) the carpeting is coming up because it was not installed properly; and
- 4) the door frame for the main entrance is completely shot because of the previous tenants.

The tenant requested that the landlord attend to the first three items as soon as possible, but not address the door frame until the weather is warmer, some time in the spring.

### Analysis

Under section 32 of the Act, a landlord must provide and maintain residential property in a state of decoration and repair that (a) complies with the health, safety and housing standards required by law, and (b) having regard to the age, character and location of the rental unit, makes it suitable for occupation by a tenant.

I accept the tenant's undisputed evidence that the above-noted areas may need to be repaired or replaced. I accept the tenant's evidence that he gave the landlord written notice of these issues in December 2015. I therefore find that it is appropriate to order the landlord to take the steps he deems necessary to address these issues. I order the landlord to address the first three issues – the oven, the bathtub and the carpeting – by April 30, 2016. I order the landlord to address the door frame no later than June 15, 2016. If the landlord does not address these issues in a manner compliant with the Act, it is open to the tenant to apply for monetary compensation or further orders.

### Conclusion

I order the landlord to address the issues of the oven, the bathtub and the carpeting in the rental unit by April 30, 2016 and to address the issue of the door frame by June 15, 2016. The landlord must do so in accordance with section 32 of the Act.

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: March 21, 2016

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Residential Tenancy Branch