



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, RR

Introduction

The Application for Dispute Resolution filed by the Tenant seeks an order that the landlord replace or repair the living room and dining room windows.

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was served by mailing, by registered mail to where the landlord resides. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issue to be decided is whether the tenant is entitled to an order for repairs?

Background and Evidence

The tenancy began approximately 4 to 5 years ago. The present rent is \$1250 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$625 at the start of the tenancy.

Analysis

The tenant testified that there are gaps in the living room and dining rooms window which cause a significant reduction in her enjoyment of the rental unit in the winter because of the inflow of cold air and in the summer time with wasps entering the rental unit. The landlord disputes this. He testified the heat problems related to a furnace that

wasn't working properly. The furnace has been replaced. However, he stated the landlord has order a custom made window for the living room and expects that it will arrive in a few weeks.

Application for a Repair Order

With respect to each of I ordered the landlord to do the following:

- a. Replace the living room window by July 31, 2016.
- b. Inspect the dining room window and either replace it or make appropriate repairs to ensure it is properly sealed by June 30, 2016.

Conclusion

I ordered the landlord(s) replace the living room window by July 31, 2016 and inspect the dining room window and either replace it or make the appropriate repairs to ensure it is properly sealed by June 30, 2016.

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 01, 2016

Residential Tenancy Branch