



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 230 PRINCESS AVE. HOLDINGS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OLC, ERP, RP, PSF

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order to the landlord to make repairs to the rental unit pursuant to section 32;
- an order to the landlord to make emergency repairs to the rental unit pursuant to section 33;
- an order to the landlord to provide services or facilities required by law pursuant to section 65.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed that the tenant served the landlord with the notice of hearing package and the submitted documentary evidence on July 6, 2017 in person. The landlord did not submit any documentary evidence. Neither party raised any service issues. As both parties have attended and have confirmed receipt of the notice of hearing package and the submitted documentary evidence, I am satisfied that both parties have been sufficiently served as per sections 88 and 89 of the Act.

### Preliminary Issue(s)

At the outset of the hearing the tenant clarified that he failed to provide details of his request(s) for emergency repairs (ERP), repairs (RP) and for the landlord to provide services or facilities agreed upon but not provided (PSF). As such, both parties confirmed their understanding that the hearing shall proceed only for the tenant seeking an order for the landlord to provide him a key to the personal mailbox.

Issue(s) to be Decided

Is the tenant entitled to an order for the landlord to comply with the Act, regulations or tenancy agreement?

Background and Evidence

While I have turned my mind to all the documentary evidence, and the testimony of the parties, not all details of the respective submissions and / or arguments are reproduced here. The principal aspects of the applicant's claim and my findings are set out below.

The tenant seeks an order for the landlord to provide him a key to the common mail box. The tenant provided written details which state,

Landlord/ Res. Manager have the only key to the common mailbox. The Criminal Code of Canada states "There is to be no third-party interception or handing of mail."

The tenant has provided documentary evidence in the form of typed letter dated June 4, 2017 and 6 photographs in support of his claim. One photograph depicting a lone mail box in front of a door.

The landlord stated that a series of personal mailboxes have been installed inside the rental property, but that Canada Post has refused to enter the building to deliver mail. Both parties confirmed that the landlord has not yet provided a key to the personal mailboxes.

Analysis

Residential Tenancy Branch Policy Guideline #1, Keys, states in part,

The landlord must give each tenant at least one set of keys for the rental unit, main doors, mail box and any other common areas under the landlord's control, such as recreational or laundry rooms. The tenant must return all keys at the end of the tenancy, including those he or she had cut at his or her own expense.

As the landlord has provided undisputed affirmed evidence that personal mail boxes have been installed inside the rental premises, I order that the landlord provide a key to

this box to the tenant within 48 hours of this scheduled hearing date (August 4, 2017) making the deadline on August 6, 2017.

Conclusion

The tenant's application is granted. The landlord is to provide a copy of the personal mailbox to the tenant by August 6, 2017.

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: August 04, 2017

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Residential Tenancy Branch