



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding WOODGROVE SENIOR CITIZEN HOUSING SOCIETY  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OLC

### 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.

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 via Canada Post Registered Mail. The landlord confirmed that no documentary evidence was submitted. I accept the undisputed affirmed evidence of both parties and find that both parties have been sufficiently served as per section 90 of the Act.

### Preliminary Issue(s)

At the outset it was clarified with both parties that the named landlord was incorrectly named and that the both parties have consented to the amendment of the landlord's name.

### Issue(s) to be Decided

Is the tenant entitled to an order for the landlord to comply with the Act, Regulations of 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.

This tenancy began on February 1, 2017 on a month-to-month basis as shown by the submitted copy of the signed tenancy agreement dated January 17, 2017. The monthly

rent is \$294.00 payable on the 1<sup>st</sup> day of each month. A security deposit of \$250.00 was paid.

The tenant seeks an order for the landlord to re-locate him within the rental property or within the landlord's rental properties due to health reasons. The tenant was unable to provide sufficient evidence of any entitlement for the landlord to re-locate his residence. The landlord argued that due to the tenant's concerns, an investigation was launched which revealed no issues that would impact the tenant's health.

#### Analysis

I accept the affirmed testimony of both parties and find on a balance of probabilities that the tenant has failed to establish an entitlement for an order for the landlord to re-locate his residence due to health issues. As such, the tenant's application is dismissed.

#### Conclusion

The tenant's application is dismissed.

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 31, 2017

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Residential Tenancy Branch