



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      PSF

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on June 18, 2019 (the "Application"). The Tenant confirmed during the hearing that he applied for an order that the Landlords provide services or facilities required by the tenancy agreement and law, pursuant to the *Residential Tenancy Act* (the "Act").

The Tenant attended the hearing at the appointed date and time, and provided affirmed testimony. The Landlords did not attend the hearing.

The Tenant testified the Landlords were served with the Application package by registered mail on June 18, 2019. He testified that tracking information confirmed the Landlords received the Application package on June 21, 2019. In the absence of evidence to the contrary, I find the Landlords received the Application package on that date.

The Tenant was provided with an opportunity to present evidence orally and in written and documentary form, and to make submissions to me. I have reviewed all evidence and testimony before me that met the requirements of the Rules of Procedure; however, I refer to only the relevant facts and issues in this Decision.

### Issue to be Decided

Is the Tenant entitled to an order requiring the Landlords to provide services or facilities required by the tenancy agreement or law?

### Background and Evidence

The Tenant testified that the tenancy began after he responded to an advertisement at an affordable housing agency. The advertisement indicated that rent included utilities, laundry facilities, and WiFi. The Tenant testified the tenancy began on November 30, 2015. Currently, the Tenant pays rent in the amount of \$550.00 per month. He paid a security deposit in the amount of \$275.00, which the Landlords hold. A Shelter Information form was submitted in support.

The Tenant requests an order that the Landlords provide services or facilities required by the tenancy agreement or law. Specifically, the Tenant testified that throughout the tenancy he has contacted the Landlords when he needed to access the laundry facilities. The Landlords would then make arrangements to let him in. However, when the Tenant contacted the Landlords on or about June 3, 2019, they did not respond in a reasonable amount of time as they had done before. The Tenant testified that he did not have access for a few weeks but that the Landlords have been responding more quickly since receiving the Application package.

In addition, the Tenant testified that WiFi was part of the tenancy agreement but that he has not had reliable service for about one year.

The Landlords did not attend the hearing to dispute the Tenant's evidence.

### Analysis

Based on the unchallenged and affirmed oral testimony and documentary evidence, and on a balance of probabilities, I find:

The Tenant requests an order that the Landlords to provide services of facilities required by the tenancy agreement or law. Section 62(3) of the *Act* states:

*The director may make any order necessary to give effect to the rights, obligations and prohibitions under this Act, including an order that a landlord or tenant comply with this Act, the regulations or a tenancy agreement and an order that this Act applies.*

[Reproduced as written.]

In this case, I find it is more likely than not that the unwritten tenancy agreement between the parties includes use of a laundry facilities and access to WiFi. The Tenant testified that he entered into the tenancy because these services and facilities were included. I also accept the Tenant's testimony that these services or facilities have been available to the Tenant throughout most of the tenancy, with the exception of recent disruptions described above.

Therefore, I find it appropriate in the circumstances to order the Landlords to provide regular and reasonable access to laundry facilities after receipt of a request from the Tenant. Further, I find it appropriate in the circumstances to order the Landlords to provide a reasonable standard of WiFi to the Tenant.

***For the benefit of the Landlords and the Tenant, the parties are encouraged to enter into a written tenancy agreement that sets out the terms of the agreement between the parties, including procedures for the timing and use of laundry facilities, and the provision of WiFi. Sample tenancy agreements are available for use at the Residential Tenancy Branch  
website: <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/forms>***

### Conclusion

I order the Landlords to provide regular and reasonable access to laundry facilities upon receipt of a request for access from the Tenant, pursuant to the unwritten tenancy agreement between them.

I order the Landlords to provide a reasonable standard of WiFi to the Tenant, pursuant to the unwritten tenancy agreement between them.

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 1, 2019

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Residential Tenancy Branch