



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      ERP

### Introduction

This hearing dealt with the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act) for emergency repairs related to alleged overloaded circuits, no permits and due to the tenant's son being shocked and burned when plugging in an electrical cord in the rental unit.

The teleconference hearing began on November 23, 2021, with the tenant, landlords and counsel for the landlord, HH (counsel) present. After 55 minutes, the matter was adjourned, and orders were made. On December 23, 2021, this matter was reconvened and both parties advised the undersigned arbitrator that they did not serve the evidence uploaded to the RTB Dispute Management System (DMS) on the other party. The parties were advised that I could not consider any new evidence unless it was served on the other party and as a result, this matter would have to be adjourned again.

On February 11, 2022, this matter was reconvened again, and the parties agreed on this date that the electrical outlets of concern on the original application were functioning and as a result, this application would be dismissed.

The tenant made mention of smoke detectors, which the parties were advised were not listed on the application before me. Therefore, the tenant was advised they could make an application for emergency repairs related to smoke detectors, if necessary.

### Preliminary and Procedural Matters

The parties were informed at the start of the hearing that recording of the dispute resolution is prohibited under the Residential Tenancy Branch (RTB) Rules of Procedure (Rules) Rule 6.11. The parties were also informed that if any recording devices were being used, they were directed to immediately cease the recording of the

hearing. In addition, the parties were informed that if any recording was surreptitiously made and used for any purpose, they will be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation under the Act. Neither party had any questions about my direction pursuant to RTB Rule 6.11.

In addition, the parties confirmed their respective email addresses at the outset of the hearing and stated that they understood that the decision would be emailed to them. At the most recent hearing, the parties confirmed that there were no changes in their email addresses.

### Issue(s) to be Decided

Are emergency repairs currently required in the rental unit?

### Background and Evidence

The tenant submitted the following request for emergency repairs. Initials have been used to protect privacy.

The landlords, [JJ & KW] have been cited by the City of [P], Building & Licensing division, as well as Technical Safety BC, for operating an illegal & unsafe suite, after my 8 year old son was shocked & burned when plugging an electrical cord into an outlet in the basement suite on December 8, 2020. They have been given 30 days to have an electrical contractor come in to address the overloaded circuits, and no permits. Instead, they served me with a 10 day notice.

On February 11, 2022, the parties confirmed that the electrical outlets are now working currently and there was no dispute that this matter should now be dismissed as a result.

### Analysis

Based on the documentary evidence and the testimony provided during the hearing, and on the balance of probabilities, I find the following.

I find that the parties agreed during the hearing that the electrical outlets in the rental unit are now functioning as are no longer in need of emergency repairs. Therefore, this matter is dismissed.

Should the electrical outlets stop working, I grant leave to reapply in the future.

Conclusion

As of February 11, 2022, the electrical outlet in the rental unit have been deemed functioning by both parties.

As a result, this matter is dismissed.

I note the filing fee was already waived.

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: February 11, 2022

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Residential Tenancy Branch