



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

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DECISION

Dispute Codes MNDCT RR RP FFT

Introduction

The tenant sought various relief under the *Residential Tenancy Act* (the “Act”).

A teleconference hearing was convened on February 9, 2023 and the tenant and a representative for the landlord (hereafter the “landlord”) attended.

It should be noted that the two respondents named in the tenant’s application are employees of the landlord, which is a corporation. For this reason, the name of the corporate landlord has been used in the style of cause on the cover of this Decision.

Preliminary Issue: Claim for Compensation for Defamation

The tenant sought \$5,000.00 in compensation for alleged defamation caused by an employee of the landlord.

A claim for damages related to libel and slander falls outside the jurisdiction of the Act. Any such claim for damages related to defamation may only be brought by way of a notice of civil claim at the Supreme Court of British Columbia. As such, this aspect of the tenant’s application is dismissed.

Settlement of Dispute

After the tenant testified under oath about a dangerous and likely faulty electrical outlet in his kitchen, and about a bedroom door that refuses to close, the landlord’s representative offered to “settle this whole thing.” The landlord agreed to commit to sending an electrician to the rental unit within the next week or two, and agreed to send a handyman to get the door functioning, within the next month. The tenant was amenable to this proposal and commitment by the landlord.

Given that the dispute was settled as outlined above, I decline to grant the tenant any compensation as claimed. (In any event, it should be noted that the amount sought was rather excessive based on the inoperability of just one electrical outlet in the kitchen.)

That said, because the landlord offered to settle the matter by agreeing to send an electrician and a handyman, it follows that the tenant's application for repairs has merit. For this reason, I grant the tenant's claim to recover the cost of his application fee. Pursuant to section 72(2)(a) of the Act the tenant is authorized to deduct \$100.00 from a future rent payment as compensation for the cost of the application filing fee.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: February 9, 2023

Residential Tenancy Branch