



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      OLC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the *Residential Tenancy Act* (the “Act”) to have the landlord comply with the Act.

Both parties appeared.

### Issue(s) to be Decided

Should the landlord be ordered to comply with the Act?

### Background and Evidence

The tenants submit in their application that the tenancy began August 1, 2008. Rent in the amount of \$1,200.00

The tenants stated that they want the landlord to comply with the Act, by giving proper notice to end the tenancy.

The landlord’s agent confirmed that they are fully aware of how to end the tenancy and will give proper notice.

### Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

In this case, I am not prepared to make any orders against the landlord. The landlord's agent indicated that they are fully aware of the Act when ending a tenancy, and fully prepared to comply with the Act. Therefore, I dismiss the tenants' application.

I note at the hearing the tenants wanted to address repairs needed to the rental unit. This is not an application requesting repairs. Further, the tenants were informed that simply because they request/demand repairs, does not mean the landlord must do them.

As an example, if a faucet is leaking, it would be expected that the landlord would fix the leak, not replaced the faucet. If the carpets have an odour, it would be reasonable for the tenants to prove that they have had them professionally shampooed, by providing receipts to the landlord. It is the tenant's responsibility under the Act for regular cleaning of the carpets during their tenancy, not the landlord. The onus would be on the tenant to prove the odour, if one exists, is a health and safety issue.

The landlord is not required under the Act to make improvements or replace fixtures simply because they are demanded by a tenant. The landlord is required to maintain the rental unit that complies with health and safety, taking into consideration the **age and character** of the premises.

### Conclusion

The tenants' 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: March 03, 2023

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Residential Tenancy Branch