



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- authorization to change the locks to the rental unit pursuant to section 70.

The hearing was conducted by conference call. All named parties attended the hearing and were given a full opportunity to provide testimony, to present evidence and to make submissions. No issues were raised with respect to the service of the application and respective evidence submissions on file.

Issues

Should an order be issued authorizing the tenant to change the locks to the rental unit?

Background and Evidence

The tenancy for this supportive housing unit began December 1, 2014.

The tenant submits that the landlord has entered his unit unauthorized and contaminated his personal belongings which is seriously affecting his health. He has had to undergo ongoing treatment as a result of the contamination.

The landlord submits that they never enter a tenant's unit without first providing proper notice as required. The landlord testified that they have attempted to meet with the tenant to discuss when the alleged unauthorized entry occurred. The landlord states they can review the surveillance footage from the building if the tenant could pinpoint the times or dates.

The tenant stated he had a letter as proof of the entry, but no such letter was submitted as evidence. The tenant states it is not up to him to pinpoint when the unauthorized entry happened.

Analysis

Section 29 of the Act requires a landlord give at least 24 hour written notice to enter a rental unit.

Pursuant to section 70 of the Act, the director may authorize the tenant to change the locks to the rental unit if satisfied that a landlord may enter other than as authorized under section 29 of the Act.

The tenant provided no evidence to support his allegations of unauthorized entry. Therefore, I find that authorizing the tenant to change the locks is not appropriate in these circumstances.

Conclusion

The tenant's application is dismissed without leave to reapply.

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: June 13, 2023

Residential Tenancy Branch