



Residential Tenancy Branch

Compliance and Enforcement Unit

CEU File # [REDACTED]
October 18, 2022

Full Summary of Administrative Penalty

Name of Respondent: 0750062 BC LTD, Antonietta Maria LAUDISIO and Mario LAUDISIO (the respondents)

Date of Penalty Issued: October 18, 2022

Contraventions under the *Residential Tenancy Act* (the Act): Section 87.2(2) – a person must comply with a demand for records.

Amount of Administrative Penalty: \$3,500.00

Date by which Penalty Must Be Paid: December 19, 2022

Section 87.2 of the Act pertains to a demand for records commensurate with a Compliance and Enforcement Unit (CEU) investigation and states that the director may require a person to provide to the director, within a reasonable time, all records in the person's possession or control related in any way to an investigation. This section further states that a person required under subsection (1) to provide records, must comply with the requirement.

The evidence provided in the Investigation Report and supporting materials indicates that the respondent was issued a demand for records on March 16, 2022, with a due date of March 31, 2022 (15 days). The demand was responded to by legal Counsel for the respondent who stated that they could not meet the March 31, 2022, deadline. Counsel stated that they would comply by April 8, 2022. A second demand for records was issued on April 1, 2022, extending the deadline of the March 16, 2022, demand to April 8, 2022.

Evidence in the Investigation Report further indicates that the respondent failed to comply with the March 16, 2022, demand and the April 1, 2022, extension. The Investigation Report further indicates a deliberate intent to fail to comply with the demand for records.

The respondent was provided with notice of an Opportunity to be Heard dated June 23, 2022, and then again on July 19, 2022, granting an extension for submissions in accordance with section 87.3(2) of the Act and section 33 of the *Residential Tenancy Regulation* (the Regulation).

Administrative Penalties are issued to promote compliance only after all other attempts to gain compliance have failed. The respondent's compliance history and the seriousness of the contravention were considered when determining a one-time or continuing penalty.

Under the authority provided by Part 5.1 of the Act, I am ordering a one-time administrative penalty of \$3,500.00 against the respondent for contravening section 87.2(2) of the Act.

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