



Compliance and Enforcement Unit
Residential Tenancy Branch
Office of Housing and Construction Standards

June 30, 2020

CEU File # [REDACTED]

Full Summary of Administrative Penalty

Name of Respondent: Huntly Investments Ltd and Brent Wolverton

Date of Penalty Issued: October 28, 2019

Contraventions under the Residential Tenancy Act (the Act):

- Section 28-Protection of tenant's right to quiet enjoyment
- Section 49- Landlord's notice: landlord's use of property

Outcome of the Investigation: An administrative penalty in the amount of \$1,000.00

The Compliance and Enforcement Unit (the CEU) received a complaint on April 2, 2019 alleging the respondent was contravening the Act by deliberately and repeatedly serving invalid Notices to End Tenancy thereby interfering with the tenant's right to quiet enjoyment. Pursuant to section 87.1 of the Act, an investigation commenced on April 9, 2019.

The respondent repeatedly misrepresented Huntly Investments Ltd as a "family corporation" to justify issuing Notices to End Tenancies. Section 49(4) is a provision in the Act that the respondent should have reasonably known was not available to them, thus contravening section 49 of the Act. Repeatedly issuing Notices to End Tenancy in bad faith was found to be an unreasonable disturbance to the tenants, and thus the respondent contravened section 28 of the Act. The contraventions identified above were deliberate and continuous.

Administrative Penalties are issued to promote compliance. 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, the Director of Compliance and Enforcement ordered a one-time administrative penalty on August 6, 2019 with payment due on December 30, 2019.

[Click here to see full decision.](#)