



## Residential Tenancy Branch

### Compliance and Enforcement Unit

July 21, 2023

#### Full Summary of Administrative Penalty

**Name of Respondent:** Rhoda PLOTNIKOFF, Holly GREEN aka Holly Patricia BAXTER, Elizabeth Rose PRINCE (respondents)

**Date of Penalty Issued:** July 21, 2023

**Contraventions under the *Residential Tenancy Act (the Act)*:** Section 32(1), Section 33(1) (c) (iii) and Section 27(1) of the Act.

**Amount of Administrative Penalty:** \$600.00

**Date by which Penalty Must Be Paid:** September 19, 2023

On November 4, 2022, the Compliance and Enforcement Unit (CEU) received a complaint through the Residential Tenancy Branch's Information Services alleging the respondents may not have complied with the Residential Tenancy Act (the Act) by failing to make necessary repairs to the heating system that are urgent and necessary for the health or safety of anyone and, for deliberately removing the essential service of electricity to the rental unit.

Section 32(1) of the Act requires a landlord to provide and maintain residential property in a state of decoration and repair that (a) complies with the health, safety and housing standards required by law, and (b) having regard to the age, character and location of the rental unit, makes it suitable for occupation by a tenant. Section 33 (1) (c) (iii) of the Act pertains to emergency repairs that are urgent, necessary for the health or safety of anyone or for the preservation or use of residential property; in this case under subsection (iii), the primary heating system.

The evidence provided in the investigation report and supporting materials indicated that the respondents deliberately failed to maintain and repair the rental property as it related to the heating and electrical systems and to make emergency repairs in relation to the primary heating system contrary to section 32(1) and section 33(1)(c)(iii) of the Act and terminated an essential service or facility contrary to section 27(1) of the Act. The evidence indicated that the respondents were notified by the CEU that any deliberate contravention of the Act could result in continuous administrative penalties for each day that the emergency repairs were not initiated starting from December 14, 2022.

Under the authority provided by Part 5.1 of the Act, the Director of Compliance and Enforcement Unit ordered a one-time administrative penalty in the amount of \$600.00 against the respondents for deliberately contravening section 32(1), section 33(1)(c)(iii) and section 27(1) of the Act and the administrative penalty became due on or before September 19, 2023.

[Click here for full summary](#)