



Landlord and Tenant Fact Sheet

RTB-116

Terminating or Restricting Services or Facilities

s. 27 Residential Tenancy Act and s. 21 Manufactured Home Park Tenancy Act

Essential services or facilities

Under the *Residential Tenancy Act* and *Manufactured Home Park Tenancy Act*, a landlord must not terminate or restrict a service or facility if:

- the service or facility is essential to the tenant's use of the rental unit as living accommodation or manufactured home site for use as a site for a manufactured home (even if the item is not in the tenancy agreement); or
- the service or facility is a material term of the tenancy agreement.

Non-essential services or facilities

A landlord may eliminate or restrict a non-essential service or facility. For example, a landlord could eliminate cable service if the tenant can purchase it direct from a cable supplier. However, a landlord can not eliminate the elevator from a high-rise building as a tenant cannot reasonably replace the service. It is considered an offence under the Acts to do so.

The landlord must provide 30-days written notice to any affected tenant using the form, Notice Terminating or Restricting a Service or Facility. The landlord must also reduce the rent by an amount equivalent to the value of the service or facility being discontinued or restricted.

Tenant can dispute landlord's notice

A tenant can apply for dispute resolution to dispute a landlord's notice or the amount of rent reduction. A dispute resolution officer (DRO) can also determine whether the service is essential or non-essential.

A DRO may:

- order the tenant to deduct a different amount from the rent.
- order the service or facility to be restored.
- order the landlord to decrease the rent by the value of the discontinued service until the landlord restores the service or facility.
- issue a monetary order enforceable against the landlord.

For more information ...

Visit the RTB's Web site at www.rto.gov.bc.ca.

Call an Information Officer or listen to our 24 Hour Recorded Information Line:

Lower Mainland: 604-660-1020

Victoria: 250-387-1602

Elsewhere in BC: 1-800-665-8779

Visit the RTB nearest you:

Burnaby: 400-5021 Kingsway

Victoria: 1st Floor, 1019 Wharf Street

Kelowna: 305-478 Bernard Avenue

RTB Burnaby, Victoria and Kelowna are open 8:30 a.m. to 4:30 p.m., Monday to Friday.

All RTB offices are closed on statutory holidays.

If there is no RTB in your area, you can get residential tenancy guides, fact sheets and forms online at www.rto.gov.bc.ca or at any Service BC—Government Agents Office.

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca

#RTB-116 (2009/09)