



# Civil Resolution Tribunal

Date Issued: August 14, 2024

Files: SC-2023-011591  
and SC-CC-2023-012404

Type: Small Claims

Civil Resolution Tribunal

Indexed as: *Parker v. Swetlishoff*, 2024 BCCRT 749

BETWEEN:

DEREK PARKER

**APPLICANT**

AND:

DARRELL SWETLISHOFF and DARRELL M. SWETLISHOFF, INC.

**RESPONDENTS**

AND:

DEREK PARKER

**RESPONDENT BY COUNTERCLAIM**

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## REASONS FOR DECISION

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Tribunal Member:

Andrea Ritchie, Vice Chair

Hearing Date:

August 6, 2024

## DECISION

1. This dispute was about exterior residential contracting work. In SC-2023-011591, the applicant, Derek Parker, who does business as Dee's Contracting, claimed against the respondents, Darrell Swetlishoff and Darrell M. Swetlishoff, Inc., for unpaid contracting work. Mr. Parker claimed \$4,723.67.
2. In SC-CC-2023-012404, Darrell M. Swetlishoff, Inc., sought \$5,000 in damages against Mr. Parker because Mr. Swetlishoff says he was overcharged for the work.
3. Mr. Parker represented himself. Mr. Swetlishoff represented both himself and his corporation.
4. The Civil Resolution Tribunal (CRT) has jurisdiction over small claims dispute brought under section 118 of the *Civil Resolution Tribunal Act* (CRTA). CRTA section 39 says the CRT has discretion to decide the hearing's format. The parties agreed to participate in a mediation-arbitration via videoconference, which took place on August 6, 2024. They did not settle their dispute during mediation, so I converted the mediation to an oral hearing and made a final decision. I provided my decision orally, with reasons, that day.
5. Section 46(3) of the CRTA says that when the CRT gives oral reasons, it only needs to produce formal written reasons if a party requests them. The CRT gave the parties 7 days to request formal written reasons, and neither party did so. So, I have not prepared formal written reasons. CRTA section 85(1) requires the CRT to publish all final decision but does not require the CRT to publish a record of oral reasons. So, this final decision does not include my reasons.
6. I found in favour of Mr. Parker, and I ordered Darrell M. Swetlishoff, Inc. to pay Mr. Parker a total of \$5,045.46 within 30 days of my decision, broken as follows:
  - a. \$4,723.67 in debt,
  - b. \$196.79 in pre-judgment interest under the *Court Order Interest Act*, and

- c. \$125 in tribunal fees.
- 7. Mr. Parker is entitled to post-judgment interest, as applicable.
- 8. I dismissed Mr. Parker's claims against Mr. Swetlishoff personally, and Darrell M. Swetlishoff, Inc.'s counterclaim in its entirety.
- 9. This is a validated decision and order. Under CRTA section 58.1, a validated copy of the CRT's order can be enforced through the Provincial Court of British Columbia. Once filed, a CRT order has the same force and effect as an order of that court.

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Andrea Ritchie, Vice Chair