

DECISION

Dispute Codes MNDC OLC ERP

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to obtain a Monetary Order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement and an Order to have the Landlord make emergency repairs for health and safety reasons and to comply with the Act.

No one was in attendance for the applicant Tenants however the respondent Landlord appeared at the hearing.

Issue(s) to be Decided

Are the Tenants entitled to a Monetary Order under section 67 of the *Residential Tenancy Act*?

Are the Tenants entitled to Orders to have the Landlord comply and make repairs under sections 32 and 62 of the *Residential Tenancy Act*?

Background and Evidence

There was no additional evidence or testimony provided in support of the Tenants' claim as no one attended on behalf of the Tenants.

Analysis

Section 61 of the *Residential Tenancy Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the Director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for an oral teleconference hearing. In the absence of the applicant Tenants, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenants called into the hearing during

this time. Based on the aforementioned I find that the Tenants have failed to present the merits of their application and the application was dismissed.

Conclusion

I HEREBY DISMISS the Tenants' application, without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: September 23, 2010.

Dispute Resolution Officer