



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNSD O RR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to obtain an Order to have the Landlord make repairs to the unit, allow the tenants reduced rent for repairs, services or facilities agreed upon but not provided, other, a Monetary Order for money owed or compensation for damage or loss under the Act, regulation, or tenancy agreement, and to recover the cost of this application from the Landlord.

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

Issue(s) to be Decided

Are the Tenants entitled to a monetary order?

Is the Landlord ordered to make repairs to the rental unit, site or property?

Are the Tenants entitled to reduced rent for repairs, services or facilities agreed upon but not provided?

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.

The Landlord advised that the Tenants vacated the rental unit sometime before October 31, 2010, as per their mutual agreement, and the Landlord has entered into a new

tenancy agreement with different tenants. The Landlord confirmed that the Tenants left the unit clean and he would be returning their security deposit.

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: November 03, 2010.

Dispute Resolution Officer