



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OLC, PSF

Introduction

This matter dealt with an application by the Tenant for an Order that the Landlord comply with the Act by ending the tenancy of another occupant of the rental property who the Tenant alleges is significantly interfering with his right to quiet enjoyment under s. 28 of the Act.

This oral hearing via teleconference started at 9:00 a.m. as scheduled however by 9:10 a.m. neither party had dialled into the conference call. As there has been no hearing into the merits of the Tenant's application, it is dismissed with leave to reapply. I note, however, that the director has no authority under the Act to Order the Landlord to evict another tenant. The remedy for a tenant in these circumstances, is to apply for compensation (and/or a rent reduction) from the Landlord due to the Landlord's failure to comply with the Act.

Conclusion

The Tenant's application is dismissed with 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: December 22, 2010.

Dispute Resolution Officer