



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNR MNDC RP

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to obtain a monetary order for cost of emergency repairs and money owed or compensation for damage or loss under the Act, regulation or tenancy agreement and to obtain an order to have the Landlord make repairs to the unit site or property.

No one was in attendance for either the Landlord or the Tenant.

Issue(s) to be Decided

1. Has the Landlord breached the Act, regulation or tenancy agreement?
2. If so, has the Tenant proven entitlement to monetary compensation as a result of that breach?
3. If so, is there a requirement to issue an order to have the Landlord conduct repairs to the unit, site or property?

Background and Evidence

There was no additional evidence or testimony provided as there was no one in attendance at the scheduled hearing.

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 Tenant and respondent Landlord, the telephone line remained open while the phone system was monitored for ten minutes and no one on behalf of the applicant Tenant or respondent Landlord called into the hearing during this time. Based on the aforementioned I find that the Tenant has not presented the merits of their application and the application is hereby dismissed with leave to reapply.

Conclusion

I HEREBY DISMISS the Tenant's application, 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: January 18, 2011.

Residential Tenancy Branch