



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

ERP, RP, and PSF

Introduction

This hearing was convened in response to an Application for Dispute Resolution, in which the Tenant applied for an order requiring the Landlord to make repairs; an order requiring the Landlord to make emergency repairs; and an order requiring the Landlord to provide services or facilities.

Issue(s) to be Decided

Is there a need to issue an order requiring the Landlord to provide hot water to the rental unit?

Background and Evidence

The Tenant did not attend the hearing in support of the claim.

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 a teleconference hearing.

Rule 10.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

The Landlord was present at the scheduled start time of the hearing, which was 2:30 p.m. The teleconference was monitored until 2:44 p.m. however the Tenant did not dial into the teleconference during this time.

I find that the Tenant has failed to diligently pursue this Application for Dispute Resolution.

Conclusion

As the Tenant has not diligently pursued the Application for Dispute Resolution, I dismiss it without leave to reapply.

Dated: March 25, 2013

Residential Tenancy Branch

