



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI, CNR, MNDC

This hearing was convened in response to an application by the tenant for an order disputing a rent increase, an order to set aside a notice to end tenancy and a monetary order. The hearing originally was convened on March 6, 2013 at which time the landlord participated in the hearing but the tenant did not. In a decision issued on the same date, the Arbitrator dismissed the tenant's application and granted the landlord an order of possession upon their oral request.

The tenant filed for a review of the March 6 decision on the grounds that he was unable to access the conference call hearing. The review was successful and a new hearing was set for this date. Again, the tenant did not appear at the conference call hearing. I contacted the Telus operator to ensure that the phone line was working properly and was assured that there were no apparent difficulties and no indication that anyone other than myself and the landlord had tried to access the conference call at the time appointed for the hearing. The telephone line remained open for 15 minutes to permit the tenant opportunity to call, but no call was received during that period.

The landlords advised that the tenant had told them that his telephone was not working.

I find that the tenant had the obligation to ensure that his telephone was operational prior to the hearing and arrange for the use of another telephone if required. I find that the tenant was given reasonable opportunity to appear at the hearing and present his claim and that he failed to do so. I therefore confirm the original decision and order issued on March 6, 2013. The landlord may proceed to enforce the order of possession issued on that date.

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: April 17, 2013

Residential Tenancy Branch

