



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## REVIEW DECISION

### Dispute Codes:

LRE, OLC, O

### Introduction

This Application for Dispute Resolution, in which the Tenant applied for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)* or the tenancy agreement, for an Order suspending or setting conditions on the Landlord's right to enter the rental unit; and for "other", was the subject of a hearing on May 18, 2016. On May 18, 2016 the Arbitrator ordered the Landlord to comply with section 29 of the *Act* and to ensure that all means of access to the rental unit are limited to the named landlord or executor of the estate of the owner and the tenants.

On June 02, 2016 the executor filed an Application for Review Consideration seeking a review of the decision dated May 18, 2016. On June 07, 2016 an Arbitrator determined that a new hearing should be held to consider the merits of the Tenant's Application for Dispute Resolution and he suspended the decision of May 18, 2016.

This review hearing was convened to consider the merits of the Tenant's Application for Dispute Resolution.

### Issue(s) to be Decided

Is there a need to issue an Order requiring the Landlord to comply with the *Act* or the tenancy agreement?

Is there a need to issue an Order suspending or setting conditions on the Landlord's right to enter the rental unit?

### Background and Evidence

Section 61 of the *Residential Tenancy Act (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.

This hearing was scheduled to commence at 10:30 a.m. on July 13, 2016. I dialed into the teleconference at 10:31 a.m. and monitored the teleconference until 10:42 a.m. Neither the Landlord nor the Tenant dialed into the teleconference during this time.

### Analysis

As no evidence was presented at the hearing that would cause me to conclude that the decision of May 18, 2016 should be altered or set aside, I can find no reason to alter or set aside that decision.

### Conclusion

As I have not altered or set aside the decision of May 18, 2016, the decision of May 18, 2016 stands.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: July 14, 2016

---

Residential Tenancy Branch