



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, FF

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Tenants for the Landlord to make repairs and emergency repairs to the rental unit, and to recover the filing fee. The line was left open while the phone system was monitored for ten minutes and the only participant who called into the hearing was the Landlord. The Landlord testified that she had completed the repairs to the hot water tank and that the Tenants were asking for replacement of other appliances rather than repairs to them.

Analysis & Conclusion

The Residential Tenancy Branch Rules of Procedure states 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. As the Applicants did not appear for the scheduled hearing to prove the claim being made, I dismissed the Tenant’s Application **without** leave to reapply. However, the parties are cautioned that a landlord is not required under the Act to replace appliances that are in working order.

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: October 27, 2016

Residential Tenancy Branch