



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding New Vista Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

MNDC, ERP, RP, and MNR

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant has made application for a monetary Order for money owed or compensation for damage or loss; for the cost of emergency repairs, and for an Order requiring the Landlord to make repairs to the rental unit.

Issue(s) to be Decided

Is there a need to issue an Order requiring the Landlord to make repairs to the rental unit?

Is the Tenant entitled to compensation in regards to the need to make repairs?

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 November 15, 2016. I dialed into the teleconference at 10:32 a.m. and monitored the teleconference until 10:43 a.m. The Landlord dialed into the teleconference but by the time the hearing was concluded the Tenant had not joined the teleconference.

Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application without leave to reapply.

Conclusion

I dismiss the Application for Dispute Resolution without 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 *Act*.

Dated: November 16, 2016

Residential Tenancy Branch