



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding IMH POOL XIV LP
and [tenant name suppressed to protect privacy]

REVIEW HEARING DECISION

Dispute Codes MNDC, OLC, RP, PSF, RR, FF

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("Act") for:

- a monetary order for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("Regulation") or tenancy agreement, pursuant to section 67;
- an order requiring the landlord to comply with the *Act*, *Regulation* or tenancy agreement, pursuant to section 62;
- an order requiring the landlord to make repairs to the rental unit, pursuant to section 33;
- an order requiring the landlord to provide services or facilities required by law, pursuant to section 65;
- an order to allow the tenants to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65;
- authorization to recover the filing fee for this application, pursuant to section 72.

Neither party attended at the appointed time set for the hearing, although I waited until 11:10 a.m. to enable them to participate in this hearing scheduled for 11:00 a.m.

Previous Hearings

This matter was previously heard by a different Arbitrator on November 22, 2016 and a decision was issued on the same date ("previous hearing" and "previous decision"). The previous decision granted the tenants monetary orders for rent reductions and for their application filing fee.

The landlord applied for a review of the previous decision and a new review hearing (this current hearing on February 1, 2017) was granted by a different Arbitrator, pursuant to a review consideration decision, dated January 10, 2017.

Analysis

Rule 7.3 of the RTB *Rules of Procedure* provides as follows:

7.3 Consequences of not attending the hearing: If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

Section 82(3) of the *Act* states:

Following the review, the director may confirm, vary or set aside the original decision or order.

As neither party appeared at this hearing, I confirm the previous decision and monetary orders, dated November 22, 2016.

Conclusion

The previous decision and monetary orders, dated November 22, 2016, are confirmed.

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: February 01, 2017

Residential Tenancy Branch