



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LRE, RP

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on June 16, 2017, wherein the Tenant requested an Order restricting the Landlord's right to enter the rental unit as well that the Landlord make repairs to the rental unit.

The hearing was to occur by teleconference and was scheduled for 10:30 a.m. on August 22, 2017. The line was monitored for 10 minutes and the only participant who called into the hearing was the Respondent Landlord and a neighbour who appeared to assist the Landlord. The Tenant did not call into the hearing.

Analysis and Conclusion

Rule 7 of the *Residential Tenancy Branch Rules of Procedure* provides as follow:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.2 Delay in the start of a hearing

In the event of a delay of a start of a conference call hearing, each party must stay available on the line to commence the hearing for 30 minutes after the time scheduled for the start of the hearing.

In the event of a delay of a face-to-face hearing, unless otherwise advised, the parties must remain available to commence the hearing at the hearing location for 30 minutes after the time scheduled for the start of the hearing.

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.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

The Tenant bears the burden of proving his claim on a balance of probabilities. As he did not call into the hearing, his application is dismissed without leave to reapply.

The Landlord testified that the Tenant moved out of the rental unit on June 25, 2017 such that the relief sought was no longer applicable.

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: August 22, 2017

Residential Tenancy Branch